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ABSTRACT

These papers, prepared by graduate students at Texas Woman's University as part of an internship program, are presented in three sections: (1) overview and administration of federal programs; (2) Title I of the Elementary and Secondary Education Act; and (3) some procedural considerations in the development of federal programs. The specific topics include: (1) theory and past interpretation in education of the administration and management of federal programs; (2) Title IX dealing with equal rights for women; (3) the Rehabilitation Act, Section 504; (4) education and the migrant child; (5) Project Head Start; (6) Title I: overview, implementation, unique features, and innovative characteristics, administrative implications, migrant education programs, and financial assistance to local education of children of low-income families; (7) talent search; (8) the Indian Education Act of 1972; (9) vocational education for handicapped students; and (10) education of the preschool handicapped child. (AMH)

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A COMPENDIUM OF PAPERS
ON FEDERAL PROGRAMS

Prepared
by

Graduate Students
in the
Administrative Internship Program
at the
United States Department of Education
Dallas Region VI Office
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U.S. DEPARTMENT OF HEALTH,
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SUMMER, 1980
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PREFACE

The Texas Woman's University and its College of Education continuously attempt to develop, revise and update programs and course offerings in an effort to meet the changing needs of their students and the area's population at large.

Within recent years, need has increasingly been recognized for bilingual multicultural education programs at all levels of education and adequately trained teachers and administrators to operate these programs. The College of Education of TWU has responded to this need through its administrative training programs with specialization in this important new field. These programs and their instructional staff have national reputations for excellence.

Concurrently, the educational community has acquired a heightened awareness of the need for improved understanding among educational leaders of the growing and increasingly interactive relationship between local schools and programs funded by the federal government.

Largely as a result of these simultaneously developing needs of educators and the area at large, TWU has incorporated the Federal Internship into its Bilingual Administrative Leadership Training Program. The first interns were trained in the summer of 1980 at the U. S. Department of Education (Region VI Office), and the immediate results are notable--the present volume is among them. The more valuable longterm results will become more apparent as the trainees move into positions of educational leadership and demonstrate the competencies (and other benefits) they have acquired from this invaluable experience.

We at the Texas Woman's University look forward to a continuing cooperative relationship with Region VI Offices of the Department of Education in training educators to meet the needs of all our area's citizens.

Clifton T. Sparks
Dean, *ad interim*
College of Education

DESCRIPTION OF
THE SUMMER INTERNSHIP PROGRAM

The 1980 Summer Session provided the Texas Woman's University with the unique opportunity to participate cooperatively with the Dallas Regional Office of the U. S. Department of Education in one of the most exciting and innovative administrative internship programs in the history of the institution. Under the auspices of Title VII of the Elementary and Secondary Education Act, 17 Administrative Interns were able to become actively involved in exemplary training opportunities designed to extend and enrich experiences from their graduate study of Educational Administration and Supervision.

An outstanding feature of the Internship Program was the sequence of training sessions conducted on-site by Region VI Department of Education officials. TWU Interns gained valuable information on the policies, procedures and civil rights requirements of education programs funded by the federal government. The internship included a study of the techniques of successful proposal writing. TWU students appreciated the personal attention and consultation by government officials and supervising professors. Intensive analysis of particular issues and problems connected with federal programs and their relationships to local schools clarified the tasks of the educational leader in his/her role in the school setting.

The Department of Education Internship Program is part of a more comprehensive 45 semester hour graduate education plan for school administrators. This Title VII supported training program was developed in cooperation with the Fort Worth Public Schools for the development of potential educational administrators. A major objective of the training is to prepare people to engage in leadership roles in elementary or secondary schools serving primarily learners who are linguistically and culturally different. Emphasis is placed upon the selection of individuals who have demonstrated success as teachers and who manifest leadership abilities. Bilingual communication skills in both Spanish and English are prerequisite requirements for participation in the program. Work successfully completed in the program is directly applicable to the Texas Professional School Administrator's Certificate as well as to the Supervisor's Certificate and the Master's Degree in Educational Administration.

The Title VII Leadership Development Program differs substantially from the conventional degree or administrative credentialing programs. It represents a systematic effort to provide a new cadre of school leaders for the management of change in public education. The knowledge produced by the Title VII Leadership Development Program and the Summer Internship experience at the Department of Education is highly significant. This cooperative program may have important implications for other institutions preparing school administrators to confront the vital issues and concerns of contemporary education.

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INTRODUCTION

The articles collected in this volume by the administrative interns reflect the tangible expertise and understanding which individual trainees developed from the one-on-one conferences with Department of Education officials and review of the literature on federal programs. The intangible results of this experience should also be mentioned, however. These include such expressed attitudes as greater willingness to consult ED staff for information, materials and other assistance, a feeling of improved understanding of and willingness to fully implement existing federally-funded programs, and enhanced appreciation of the mission and purpose of various programs. Finally, among the most important outcomes among the trainees was a general feeling of increased capability to confront and successfully administer federally-funded programs and projects for the benefit of children.

For these and other favors too numerous to mention in this context, the internship participants heartily express their gratitude to Drs. Miguel and Rodríguez and their respective staffs.

Brief perusal of the programs and facets of federal programs selected by the interns for discussion shows considerable variety, not only in generality or specificity of topics, but also in interpretation and focus of the respective article.

Some interns chose to deal with various facets of either administration of federal programs in general, or salient aspects of particular programs. The initial section of the present work is comprised of such articles, and includes a discussion by Wayne Pate of theory and past interpretations of educational management; a background explanation and rationale for Women's Equity projects by Martha Morólez-de Anda; a similar discussion of the Rehabilitation Act by Norma Ayala; a discussion of education and migrant children by Hervey Gómez; and finally an overview of Health and Human Services, with a focus on Head Start by Minerva Serrano.

The high interest within the group in Title I of ESEA is apparent from the percentage of interns who chose to discuss general aspects of this increasingly important source of educational funds--almost twenty-five percent. They include Dolores Saldaña, Guillerma Morales, Eunice López,Beatrice Padrón, and María Anita Castañeda, and their papers comprise the second section.

The third group of articles might well be described as introductory resources for technical assistance relating to other specific programs, in that generally they tend to emphasize "how-to" considerations for particular programs. These pieces include a discussion of Talent Search by Elda González; and analysis of mission and operations of Head Start programs by Leonora Muñoz; an overview of the Indian Education Act of 1972 by Eunice Grimaldo; a review of vocational education for handicapped students by Arcadio García; and finally, an overview of considerations for persons involved in preschool education for the handicapped children.

Mr. Wayne Pate
Administrative Intern
and Assistant Editor

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I. OVERVIEW AND ADMINISTRATION OF FEDERAL PROGRAMS

ADMINISTRATION AND MANAGEMENT OF FEDERAL PROGRAMS: THEORY AND PAST INTERPRETATION IN EDUCATION

by
Wayne Pate

Rationale and Intended Audience

If asked to define the term management as it applies to education, many educators, including administrators, are at a loss for an adequate definition. Moreover, many of them have a definite distaste for developing such an adequate working knowledge of the process. Reasons for this reticence are several: many are involved in education because they have a natural (or cultivated) affinity for the classroom and the teaching/learning process, and simply prefer not to further complicate their jobs and lives with the day-to-day operations and concerns with which managers must deal. Equally important is the fact that throughout much of the twentieth century administrators have taken on the trappings of businessmen in an attempt to improve their status and credibility among staff and in the community.[1] Often, however, their understanding of the functions and issues of management are used so nebulously that for staff the jargon associated with management and management systems often becomes meaningless and seems irrelevant.

A third important reason educators are often skeptical about the topic of managment concerns priorities within schools and school systems. Many experienced administrators have become so fascinated with a particular system or set of regulations that the primary function of public schools (i.e., the quality education of all children) is at times relegated to a lower priority. The chain of misunderstanding and misapplication of basic business and management concepts at times extends all the way to the top of a school district's administrative hierarchy.

Mr. Pate taught at several schools before joining the Fort Worth Public Schools in 1973. He has taught at the high school, middle school and college levels, and in the Spanish, Social Studies, History and Government content areas. Mr. Pate is presently a Spanish teacher. He received his B.A. in 1970 from North Texas State University and M.Ed. from Texas Woman's University. He has also studied in Salamanco, Spain and Saltillo, Mexico.

Although several other valid reasons for educator's dislike of management concepts and terms are commonly heard, this writer's opinion is that those stated above are most widespread. The result of this skepticism, however, is ironic. At a time when all educators need all the concepts, principles and intellectual tools they can muster, their reaction to management systems models often reaches the cynical.

The aim, therefore, of this discussion is to survey the major facets and functions of management, using both terms and format which are meaningful to and relevant for potential school administrators, and to briefly discuss the emphases and directions taken by past applications of these concepts to the field of education.

Essential Concepts and Terms

Before an application of administration of management principles can profitably procede, stipulation of certain terms is here in order. First, a brief explanation of what is meant by aspects of effective management. The formal, tangible facet involves specific, visible, and usually quantifiable activities carried out by effective managers, and generally deals with what several authors refer to as functions. An equally important aspect will be referred to herein as the informal, or intangible facet.

This distinction is described in various terms with various emphases by authors and managers, but the differentiation between these two aspects is generally consistent with their specific terms. George Terry, for example, describes these two facets as follows:

> . . . two paramount issues emerge. They include the application of improved technology, and the better use and understanding of human skills. Both of these issues are essentially managerial.[2]

Ralph Evans' primary concerns for effective administration and management stress the same facets, especially as they apply to federal education programs. He sees a major need in current programs for more and better "communication," as well as improved "financial accountability."[3]

Dr. Edward Baca offered what was clearly the most direct framing of the dual facets of effective management and administration. He considers the effective administrator a "good generalist," who knows a lot about a lot of things, "while maintaining close attention to detail," particularly in relation to planning.[4]

Peter Drucker, an internationally recognized authority on management, clarifies the distinction between its formal and informal aspects in different terms, and in the process raises other issues which point up the need for careful analysis of the essentials of effective manangement. As Drucker states the issues,

> The manager always has to *administer*. He has to manage and improve what already exists and is already known. But he also has to be an *entrepreneur*. He has to redirect resources from areas of low or diminishing results to areas of high or increasing results. He has to slough off yesterday and to render obsolete what already exists and is already known. He has to create tomorrow. . . . The *administrative* job of the manager is to *optimize* the yield from these (existing) resources.
>
> This, we are usually told . . . means *efficiency*, that is doing better what is already done. It means focus on costs. But the optimizing approach should focus on *effectiveness*. . . . It asks not, How do we do this or that better? It asks, Which of the products really produce extraordinary . . . results or are capable of producing them? . . . Even the healthiest business, the business with the greatest effectiveness, can well die of poor efficiency. *But even the most efficient business cannot survive, let alone succeed if it is efficient in doing the wrong things, that is, if it lacks effectiveness.*
>
> *Efficiency is concerned with doing things right. Effectiveness is doing the right things.* (Last two emphases mine.)[5]

The Formal Facet

While the present discussion and differentiation of terms to this point will probably strike a responsive chord in the hearts of educators who have witnessed much mismanagement in education, their likely reaction will be, Fine, but what is management? The definitions offered by such authors as Terry and Drucker are both general and similar to each other. Drucker refers to the "accomplishment of agreed-on, subjective goals,"[6] while Terry says, "management is the accomplishing of a predetermined objective through the efforts of other people."[7]

Definitions of management become much more satisfying to the initiate when they speak directly to the essential functions of management. Terry sees the following functions as fundamental:

> (1) The broad aspects of the workload must be determined. . . . In short, *planning is necessary*. . . . (2) (The) work of task allocating and of authority delegating by the manager is known as organizing. . . . Organization is a fundamental function of management. . . . (3) Among the more common measures utilized by the manager to put the group into action will be leadership, orders, instructions, disciplinary measures, communication, and counseling. This

> work can be referred to as actuating. . . . (4) Answers are sought to the questions: "How well should the work be done?" and "How well is it being done?" This function of the manager constitutes control.[8]

Perhaps the most consciously interrelated and clearly stated definitions offered is a glossary entry in the Region VI Education Department's Grantsmanship Workshop. That definition is as follows:

> . . . the method of attaining organizational goals by (1) developing a plan; (2) arranging operations in conformity to the plan; and (3) creating an environment that is favorable to performance of the people belonging to the organization. These three steps are usually referred to as planning, organizing, and directing. It is a process that involves a high degree of uncertainty and unprogrammed decision making.[9]

Although Drucker's delineation of the functions of management specifies more components, it is remarkably similar to the two cited above. The major differences stem from his interpretation as to how many separate functions can be identified in the process already described, and also from his decision to include a function (the last one) which, in this writer's opinion, encompasses the informal, or intangible facet of management. According to Drucker,

> There are five operations in the work of a manager. . . .
> A manager, in the first place, sets objectives. . . .
> Second, a manager organizes. . . .
> Next, a manager motivates and communicates. . . .
> The fourth basic element in the work of the manager is measurement. The manager sets yardsticks. . . . He analyzes, appraises, and interprets performance. . . .
> Finally, a manager develops people, including himself.[10]

Chances are great that at this point the skeptical educator may still have problems in relating these basic considerations to his field. He may still wonder, What does all of this have to do with education? Drucker anticipates the question and discusses at some length the ways in which education and like institutions (all of which he refers to as service institutions) predetermine their own ineffectiveness by failing to give regular attention to the functions of management.

Drucker's discussion first examines "three popular explanations for the failure of service institutions to perform: (1) their managers aren't businesslike; (2) they need better men; (3) their objectives and results are intangible," and concludes that "all three are alibis rather than explanations."[11]

Rather than businesslike behavior, service institutions need a clearer sense of goal and purpose. A result, in Drucker's words, is that,

> It is effectiveness and not efficiency which the service institution lacks. Effectiveness cannot be obtained by businesslike behavior as the term is understood, that is, by greater efficiency . . . the basic problem of service institutions is not high cost but lack of effectiveness. They may be very efficient--some are. But they tend not to do the right things (last emphasis mine).[12]

In responding to "the cry for better people," Drucker concludes,

> . . . if . . . we cannot organize the task so that it will be done adequately by men who only try hard, it cannot be done at all . . . there is no reason to believe that business managers, put in control of service institutions, would do better than the "bureaucrats." Indeed, we know that they immediately become bureaucrats themselves.[13]

The main thrust of Drucker's rebuttal to the contention that the objectives and results of service institutions are intangible is that their situation is identical to that of private businesses:

> The definition of "what our business is" is always intangible, for a business as well as a service institution. At first glance these statements would seem to defy any attempt at translation into operational, let alone into quantitative, terms. . . . Yet as . . . businesses have shown, it is not too difficult to derive from such intangible definitions concrete and measureable goals and targets.[14]

A good portion of the remainder of Drucker's analysis of service institutions offers examples of ineffectiveness in that sector (as well as a few exceptions, such as the Tennessee Valley Authority) and specifies the ways in which failure to attend to the essential functions of management contributed to their downfall. Among his concluding remarks on service institutions are specific suggestions as to how those organizations can improve their effectiveness. These recommendations then, serve to answer the skeptical educator's question, What does all of this have to do with education?

> 1. They need to define "what our business is and what it should be". . . .
> 2. They need to derive clear objectives and goals from their definition of function and mission.

> 3. They then have to think through priorities of concentration which allow them to . . . go to work on results, and to make someone accountable for results.
> 4. They need to define measurements of performance. . . .
> 5. They need to use these measurements to feed back on their efforts, that is to build self-control from results into their system.
> 6. Finally, they need an organized audit of objectives and results, so as to identify those objectives, that no longer serve a purpose or have proven unattainable. . . . And, they need a mechanism for sloughing off such activities, rather than wasting their money and their energies where the results are unsatisfactory.[15]

At this point the educator can see specific ways in which the general principles of management can make practical contributions to the effectiveness of his or her unit of organization in achieving its purposes for being, whether that unit be a specific school, department, or district as a whole. By careful application of these suggestions to the regular operations of the educator's unit, he or she can develop specific criteria for getting the job done regularly and effectively.

These then, are the concerns to which the built-in requirements of proposals for federally-funded education programs cause the applicant to address his attention. When one sees that following such procedures can signigicantly improve the production and chances of success of an educational program, then it requires no extraordinary intelligence to recognize that the Education Department's built-in requirements for project and evaluation design can greatly aid the improvement of education programs as a whole in our nation by indirect development of educators' skills in attending to the major functions of management.

The Education Department's emphasis on sound management practice is apparent in other forms as well as program requirements. One example is the stress staff members have placed on the importance of frequent and regular contact between themselves and program directors during the life of the program for technical assistance. Another example is the importance which staff places on project directors' and project staff's participation in and attendance of association meetings and conventions which enhance knowledge and skills within the project's area of specilization.[16] Still another demonstration of the Education Department's concern with effective business practice is the fact that there exists within the Department a program entitled, "Sharing Business Success." The aim of this program is to disseminate among the nation's schools ideas and plans which have proven effective in significantly reducing operating costs.[17]

The Informal Facet

Our discussion to this point has dealt almost entirely with the formal, or tangible facet of management and its relevance to effective education. But the educator must keep in mind the caveat incorporated into the Glossary definition of management in the Region VI office of the Department of Education's Grantsmanship Workshop materials. To repeat for emphasis," . . . it is a process that involves a high degree of uncertainty and unprogrammed decision-making."[18]

The point is that adherence to specific principles within what have been referred to in this discussion as the formal facet of management is simply not enough to bring about effective management. Drucker graphically makes this point in an analogy between the practice of management and the practice of surgery: "Being able to set objectives does not make a man a manager, any more than the ability to tie a small knot in a confined space makes a man a surgeon."[19]

Why, then, would the skills surveyed briefly above not be sufficient for effective management? What less tangible, less measureable traits tend to be conducive to effective management? Harlan Cleveland addresses these questions directly in The Future Executive: A Guide for Tomorrow's Managers, and his primary thesis is an eloquent summary of the trends and conditions which necessitate more than command of the formal aspect for effective managers:

> The extraordinary growth in the number and public importance of decisions to be made will require new kinds of organizations, managed by new kinds of people. . . .
>
> The organizations that get things done will no longer be hierarchical pyramids with most of the real control at the top. They will be systems--interlaced webs of tension in which control is loose, power diffused, and centers of decisions plural. "Decision making" will become an increasingly intricate process of multilateral brokerage both inside and outside the organization which thinks it has the responsibility for making, or at least announcing, the decision. Because organizations will be more horizontal, the way they are governed is likely to be more collegial, consensual, and consultative. The bigger the problems to be tackled, the more real power is diffused. . . . This trend is visible in totalitarian as well as democratic societies. "Collective leadership" and committee work . . . are imperatives of bigness and complexity.
>
> Bigness and complexity are also blurring the traditional line between "public" and "private." The managers of "private" enterprise, profit or nonprofit, will move further toward the concept that they are responsible to people-in-general, and thereby bring the government more into their affairs. At the same time the government will farm out to the "private sector" a growing proportion of

> the public business. No large organization, whatever its formal ownership, will be able to escape its public responsibility.[20]

In describing the managers who will successfully respond to these changes, Cleveland summarizes their personal traits which will make them effective as well as the special burdens and rewards they will encounter:

> They will be manned, these new-style public-private horizontal systems, by a new breed of men and (increasingly) women. I call them the Public Executives, people who manage public responsibilities whether in "public" or "private" organizations. They will climb ladders of specialized achievement, into positions that require them to "get it all together." Their administrative style will have to be adjusted to an environment which is ill described by drawing square and static diagrams on two-dimensional charts; it will feel more like a continuous chemical reaction in a liquefied solution. The Public Executive will enjoy complexity--or look for some less demanding line of work.[21]

Along with increased complexity and demands, says Cleveland,

> . . . Public Executives will carry the main responsibility for mixing values with technology . . . for the Public Executive of the future, policy will be mostly his or her own sense of direction, modified by negotiation with his or her peers. . . . It will not be a comfortable role. Picking their way through the jungle of complexity and making up their own policy as they go along, Public Executives will have every reason to feel sorry for themselves. But they will also apprehend that the function of the executive is to make the difficult choices others are reluctant to make. And in any society those who choose the most have the most reason to feel free.[22]

In summary then, the effective manager must have understanding of and skills in the specific functions within the formal facet of management, as well as the personal intellectual, temperamental, and character traits necssary to "go with the flow" of the informal realm. As Baca has said, the effective manager must have the seemingly paradoxical traits of a "generalist" with a knack for "attention to detail." After such an overview, there is little wonder that Baca offers an additional requisite for effective leadership--"the courage of your convictions."[23]

The Other Side of the Story: Past Interpretation in Education

A question remains for the educator--has the application of business principles worked well in education? Within the last ten to twenty years, systems of management, planning and evaluation have been among the major (and most visible) innovations developed within business and industry. Largely as a result of notable improvements in management which have come out of the application of such systems to organizations in both the private sector and some aspects of government, many educators have witnessed increasing efforts to have such systems widely applied to the processes and activities of education as noted above. Many other directly involved in education agree with those who advocate the adoption of such systems by educators, and several of these persons have been disseminating expertise in these systems, primarily to administrative trainees.

Specifically, the systems alluded to above are generally referred to by various acronyms and initials such as GANNT (named after Henry Gannt), CPM (Critical Path Method), PERT (Program Evaluation Review Technique), CPM/PERT, PPBS (Planning-Programming-Budgeting System), and others. But what do these acronyms and initials really describe? What do these different systems have in common? Although all differ from each other, they can fairly be described further as systems of procedure which have generated from the languages and conceptual schema first developed for use in business and information computers. Many of the same general conceptual models have also been applied in the last twenty years to various disciplines within the social sciences, with varying degrees of success.

Perhaps nowhere have systems approaches been more unquestioningly accepted, however, (at least by a significant segment of professionals) than in education and educational administrative training and theory. Monographs whose sole topic is one or more of these systems and its application to education are numerous, and these volumes almost unanimously endorse such application while explaining at length their intricacies. Examples abound, and a brief survey of some of them is here in order.

In one typical work, Network Analysis for Educational Management, Handy and Hussain offer concise overviews of several of these systems which, as their title implies, are referred to collectively in that work as "network analysis systems," or "systems analysis" approaches.[24] After discussing briefly the background of and need for such systems, these authors trace the evolution and increasing sophistication of systems analysis approaches as each new system has attempted to refine previous ones and thereby more ably deal with the inadequacies discovered in its predecessors. This method of presentation allows the reader to become familiar with developments in the field while simultaneously gaining incremental insights into the complexities of network analysis systems. Handy and Hussain have enriched their account of the emergence of the GANNT, CPM, PERT, and CPM/PERT systems with numerous accounts of the ways in which these specific systems have been successfully utilized in business, government and scientific projects and a chapter on applications of CPM/PERT to such administrative and supportive educational projects as curriculum development, school finance and taxation, government aid, etc. This volume closes with a list of seven primary advantages which the authors envision coming from the extensive use of CPM/PERT in education, which are as follows:

> 1. Network analysis establishes sequence and interrelationship of the activities needed to complete a project within predetermined time estimates. . . .
> 2. Network analysis forces realistic planning. . . .
> 3. Network analysis provides management by objectives. . . .
> 4. Network analysis provides up-to-date project status information. . . .
> 5. Network analysis enables the project manager to quickly discover potential work slippages and shows the impact of slippage on other activities. . . .
> 6. Network analysis identifies particular areas where the additional use of funds may accelerate the program. . . .
> 7. Network analysis establishes a disciplined planning, communications, and systems operation.[25]

Other works on one or more of the network analysis systems mentioned above vary in length and relative emphases within their extended discussion, but generally they are remarkably similar to Handy and Hussain's book. Among the more readily available of these similar works are: Educational Planning-Programming-Budgeting: A Systems Approach, by Harry J. Hartley, a work which applies PPBS to education;[26] Educational System Planning by Roger A. Kaufman, an introductory discussion of the common concepts and techniques of systems analysis approaches;[27] Policy Decision-Making in Education, edited by Dale Mann, a volume which purports to examine the social context of educational decision-making but in fact follows very closely the emphases and sequence of presentation of the work by Hussain and Handy with generally the same conclusions;[28] Educational Systems Analysis by Frank W. Banghart, a volume basically consistent with those already mentioned except for its more detailed sections on the mathematical bases and mathematical applications of CPM, PERT, and CPM/PERT, and its more academic tone;[29] Operational PPBS for Education by Alioto and Jungherr, an elaboration on that system by an urban superintendent and an urban director of finance, respectively, whose main concerns are "how-to" considerations;[30] and Administrative Technology and the School Executive, edited by Stephen J. Knezevich for the American Association of

School Administrators Commission on Administrative Technology, a discussion of PERT, cost-utility analysis, and PPBS which is consistent with the other volumes cited above, with the exception of this work's unusually strong and explicit assumption that assertions by the critics of procedures used previously in education should not be questioned.[31]

Aside from the somewhat surprising consistency of format, emphasis and editorial position on systems analysis techniques, another consistent and perplexing characteristic of the works just described is their seeming lack of concern for the actual and interactive activity this writer chooses to call teaching/learning. Without expending much time or effort one could delete the cursory (and seemingly, almost bothersome) references from each of these volumes on such "official" purposes as making "every kid a winner"[32] and expect that subsequent readers might believe they were examining a text on business management and planning in the private sector until they came upon such telltale terms as "curriculum development" or "local school revenues," etc.--such is the tone of these volumes.

After an initial review of the above-mentioned applications of management and systems analysis approaches to education, an hypothesis may be offered--that the recent emphasis on management techniques, procedures and methods (i.e., CPM, PERT, etc.) borrowed from business and industry and used in educational administration is detrimental to today's urban (and other) schools precisely because such emphasis diverts valuable energies, concern, status and resources away from the universally accepted, primary goals of teaching/learning and the individual human betterment which results from that process. In short, such application has generally failed to attend to "mission."

This writer next considered it relevant to examine the social context which could produce such remarkable unanimity of diversion from education's primary concerns among authors and administrators. Although some more recent works by authors, such as Sergiovanni and Starratt, for example, have tried to achieve a perspective which balances the systems and human aspects of effective administration and supervision,[33] the great preponderance of literature readily available follows the pattern discussed briefly above. Some few works by authors are available which attempt to point out the limitations of systems analysis approaches, but they tend to deal with the inherent limitations in the management aspect of administration rather than their diversion of resources and attention from the primary focus of education. Michael Yee, for example, is mainly concerned about the kinds of decisions which result from systems application:

> It is better realized today that the systematic approach in and of itself cannot make the crucial decisions. Analyses based on minute reductionism often made decision-making more difficult, decreased flexibility and the generation of

> alternatives, made it more costly to relinquish prior commitments, only tolerated innovations that "added-on" and lessened open and balanced debate.[34]

On the other hand, Shelley Umans' volume, The Management of Education, focuses much more sharply on the crucial issues stemming from the application systems analysis to education, and finds four major problems with its application:

> . . . as reasonable and practical as systems analysis sounds, the application of management or administrative theory to education is somewhat more difficult. The "human condition" plays an important role in education. It presents us with many changing variables. First, educators must agree on operational educational objectives. One of the most difficult tasks in any systems design is a clear difinition of objectives or specifications. . . .
>
> Secondly, the education process is infinitely complex. How does one define and classify the teaching/learning process? . . .
>
> A third difficulty . . . has been that, unlike the case in industry and government, there is a scarcity of demonstrable educational models for different processes and situations. . . .
>
> A fourth difficulty in education is the absence of valid and reliable instruments to measure objectives and results of educational processes.[35]

Although Umans' objections to the systems analysis approach have since been addressed by systems proponents in refining their procedures, a careful discussion of the question of whether or not these objections have been thoroughly understood and corrected for by proponents could fill volumes. While Umans comments at various points in that text that the current state of disarray of education stems from such factors as enlargement of schools and classrooms[36] and inherently contradictory goals espoused by public educators,[37] her recommendations for change (though at times novel) follow the old theme--adopt the methods business and industry have found effective in their realms of action.

So even at this point in our discussion, the question remains--why does such near-unanimity exist among administrative theorists? Why have almost all of them abdicated their professional responibility to seriously question the assumptions upon which the entire trend toward adoption of systems approaches rest?

The lamentable fact is that both the movement toward systems analysis in education as well as its easy and largely unquestioned acceptance by administrators and theorists is another episode in a long history of such behavior by U. S. public school administrators in the twentieth century.

Raymond Callahan's study, Education and the Cult of Efficiency, documents a pattern established early in the 1900's of aquiescence by public school administrators to frequent public pressures to become more "business like," more "efficient."

In a brilliant, concise and straight-forward summary of his thesis, Callahan confronts squarely the historical sources of this pattern, and in the process explains why so many others fail to face the crucial issues. As Callahan stated the thesis:

> The great initial thrust for efficiency and economy against a young weak profession in the years after 1911 started the unfortunate developments in educational administration and fifty years of inadequate support of our public schools has continued to extend their influence. . . . the American people have reaped a proper harvest for the seeds they have sown. It is true that many administrators, including most of the leaders, embraced the business posture and enjoyed the prestige of being labeled an executive. Perhaps, too, more of them should have put up more of a battle to achieve the quality of education the nation needed. . . . however, it is necessary to remember that American educators (naively perhaps but certainly humanely) have undertaken the most ambitious educational task in history--to educate all the children in a mass industrial society to the best of their ability. Furthermore they had to attempt to do this in a nation which wanted as much education as it could get for its children but was unwilling or did not understand the need to pay for it. In retrospect, America might have been better off in the long run if American educators had taken a realistic look at what was expected of them and the means . . . provided and had closed the schools. Perhaps in the ensuing crisis and debate a firm decision would have been reached whether to make the necessary effort and sacrifice or to abandon our grandiose notions about education. As it was, we wanted to have our cake and eat it too. . . .[38]

Callahan further pinpoints crucial aspects of the overall problem and the resulting "vicious cycle" which continued to the time of his work in the early 1960's.

> The continuous pressure for economy has produced a situation in which many men with inappropriate and inadequate training are leaders in our public schools. Aside from the effect . . . on the quality of work within the schools in the last forty years their training has left them ill-equipped to understand what needs to be done in education and therefore unable to communicate this to the public. On the other side

> *the American people, partly because of the inferior education they have received which makes it difficult for them to understand educational problems, and partly because of their continuing commitment to economy in public endeavors, refuse to allocate enough of their wealth to the education of their children and continue to force their superintendents to spend a disproportionate share of time on accounting and fund-raising* (emphasis mine).[39]

That these patterns continue into the 1980's is clear. Even a peremptory reading of the recent feature story in *Time* (June 16, 1980) indicates that the pattern is current.[40] Solutions, however, are not so clear. Aside from all the other possibly successful changes available to the public education at large, one point is apparent from this brief discussion--drastic changes (in obvious directions) in the overall training and posture of public school administrators certainly cannot but help the cause of quality, *effective* public education.

NOTES

[1] Raymond Callahan, Education and the Cult of Efficiency (Chicago: University of Chicago Press, 1962), p. 60.

[2] George R. Terry, Principles of Management (Homewood, Ill.; Richard D. Irwin, 1956), p. 4.

[3] Ralph Evans, Interview, Dallas, Texas, June 24, 1980.

[4] Edward Baca, Interview, Dallas, Texas, June 24, 1980.

[5] Peter Drucker, Management: Tasks, Responsibilities, Practices (New York: Harper & Row, 1974), p. 45.

[6] Ibid., p. 96.

[7] Terry, p. 19.

[8] Ibid., pp. 22-24.

[9] Education Department, Region VI, Glossary, Grantsmanship Workshop Packet; Region VI Education Department, Dallas, Texas.

[10] Drucker, p. 400.

[11] Ibid., p. 137.

[12] Ibid., p. 138.

[13] Ibid., p. 139.

[14] Ibid., p. 140.

[15] Ibid., pp. 158-159.

[16] Bill Barnhill, Interview, June 24, 1980, Dallas, Texas.

[17] Evans, Interview.

[18] Glossary, Grantsmanship Workshop Packet.

[19] Drucker, p. 401.

[20] Harlan Cleveland, The Future Executive: A Guide for Tomorrow's Managers (New York: Harper and Row, 1973), pp. 13-14.

[21] Ibid., p. 14.

[22] Ibid., pp. 14-15.

[23] Baca, Interview.

[24] H. W. Handy and K. M. Hussain, Network Analysis for Educational Management (Englewood Cliffs: Prentice-Hall, 1969), p. 7.

[25] Ibid., pp. 128-129.

[26] Harry J. Hartley, Educational Planning-Programming-Budgeting: A Systems Approach (Englewood Cliffs: Prentice-Hall, 1968).

[27] Roger A. Kaufman, Educational System Planning (Englewood Cliffs: Pentice-Hall, 1972.

[28] Dale Mann, ed., Policy Decision-Making in Education (New York: Teachers College Press, 1974).

[29] Frank W. Banghart, Educational Systems Analysis (New York: Macmillan, 1969).

[30] Robert F. Alioto and J. A. Jungherr, Operational PPBS for Education: A Practical Approach to Effective Decision-Making (New York: Harper and Row, 1971).

[31] Stephen A. Knezevich, ed., Administrative Technology and the School Executive: Applying the Systems Approach to Educational Administration (Washington: American Association of School Administrators, 1969).

[32] Kaufman, p. 9.

[33] Thomas J. Sergiovanni and Robert Starratt, Supervision: Human Perspectives (New York: McGraw-Hill, 1979).

[34] Michael Yee, Perspectives on Management Systems Approaches in Education (Englewood Cliffs: Educational Technology Publications, 1973), pp. 55-56.

[35] Shelley Umans, The Management of Education: A Systematic Design for Educational Revolution (Garden City, N.Y.: Doubleday, 1970), pp. 42-43.

[36] Ibid., p. 17.

[37] Ibid., p. 11.

[38] Callahan, pp. 258-259.

[39] Ibid., p. 260.

[40] Time Magazine (June 16, 1980), pp. 54-62.

TITLE IX: BACKGROUND AND RATIONALE

by
Martha Morólez-de Anda

Introduction

If a socially disadvantaged group is one whose members are discouraged from fully developing their potentialities for achieving status and leadership in economic, academic and political affairs, women qualify as such a group.

The past years have been marked by a rising concern and raised consciousness with regard to the role of women, the consequences of which may affect some of the most important patterns of living. The assumption that women should be exclusively loving wives and mothers is more widely shared by teachers, parents, and employers than one might anticipate. This exerts a tremendous impact on the way women view themselves, how they are raised and what is expected of them.

Our educational and community institutions will need a substantial amount of assistance if they are to help women gain their place as equal participants in and beneficiaries of our society. These institutions are rendered obsolete by the new realities of women working, of nondiscrimination laws and the new recognition of old ways of thinking on sex role stereotypes. Examples of stereotypical thinking include: women are too emotional; a woman's place is in the home; why waste money on my sister's education?; there's only one reason women are on God's green earth--to have children; as seen in the film "We Are Women," they do not explain the clearly inferior position women occupy in academic educational and political circles today.

Statement of Purpose

This paper will present an early status of women, a brief history of women in the United States, women's movements, and the legislation affecting women with emphasis on Title IX.

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A Review of Title IX

Is Title IX really necessary? Is there sex discrimination in employment, educational programs and institutions? Testimony presented at the Congressional hearings regarding Title IX and numerous investigations conducted from the late 1960's to present, document the existance and pervasiveness of sex discrimination in our education systems. "From early childhood education through graduate school, females and males are exposed to sex discrimination and sex role stereotyping in the curriculum, in extracurricular programs, in regulations and policies governing student life, in physical facilities, in the behavior of education personnel, and in the structure and organization of education institutions.[1] Sex discrimination and sex-role stereotyping, whether overt or covert, direct or indirect, function to deny the equal employment and educational opportunity guaranteed by law.

Statistics also document existance of sex discrimination in our employment and education systems. Some of the statistics are as follows:[2]

51% of the population is female.
1% of women hold top jobs.
97% of all secretaries are female.
94.2% of all typists are female.
4.8% of employed women earned $10,000 to $15,000 a year, versus 22% for men.
23% of all multiple job holders are women.
40% of mothers with children under the age of 6 are working.
7% of American families have working father, dependent mother, and two children.
51% of all working women are married.
74% of all husbands default in the first year on court-ordered child support.
50% of widows and single women exist on poverty-level incomes.
50% less income is earned by women who head families than by males who head families.
36% of all black families, 21% of all Hispanic families and 11% of all white families are headed by women.
For every dollar a man earns, a woman earns 59 cents.

Recorded history also documents sex discrimination throughout the years. History has shown that, "women have not existed during humanity's time on earth or, if they have existed, few historians have bothered to acknowledge it."[3]

Even though women have, in fact, been around since the Stone Age, according to Elizabeth Koontz, the names of few appear in 5,000 years of written history. A person can see that more than half of the world's population has had its potential stunted for as long as history has existed. Koontz stated: "This can be viewed as a result of universal conspiracy, a horrendous sexual conflict, female masochism, or just plain apathy."[4] Whatever the cause, women have been the best kept secret of this planet's history up to now.

The history of women as educators begins in prehistoric times. At least two major aspects of civilization began to evolve in those days. These aspects were education and religion, and if the historian, H. G. Wells, is correct, women invented both. "These women," stated Wells, "were educators and they taught the young the facts essential to survival."[5]

Wells, in addition to crediting women with being the first teachers, thinks they were also the world's first farmers, tailors, porters, tool and pottery makers, landowners, doctors, home builders, decorators, cooks--every profession and trade known except killing.[6]

Why, then, if women could improvise and innovate so brilliantly in so many fields, including education, did they not achieve at least equitable status early in the game? "Primitive woman was a subjected creature," Wells concludes with characteristic understatement.

As Koontz stated, "Women never quite recovered from this ancestral conditioning and her story as "subjected creature," continued through 5,000 years of recorded history[7]

The centuries rolled on, and societies continued to neglect the education of women, possibly the world's first educators.

The education of women was not different in this country. One might have hoped that the United States, the country established on the premise that human and civil rights are God-given would have had nothing to do with such a neglectful and repressive philosophy and would have turned things around. It was not to be so.

History, this country's pride and joy, raises the pertinent question whether women have ever made any contributions to American national progress that are worthy of record. If the silence of the historians is taken to mean anything, it would appear that one-half of our population have been negligible factors in our country's history. Before accepting the truth of this assumption, the facts of our history need to be raked over from a new point of view. According to Koontz, "it should not be forgotten that all our great historians have been men and were likely therefore to be influenced by a sex interpretation because of unconscious thinking."[8]

One of the women worthy of record is Abigail Adams, wife of a President and mother of another. Mrs. Adams learned to read and write without the benefit of the formal schooling usually reserved for her peers of the opposite sex.

Mrs. Adams wrote a letter to her husband, then a delegate to the Continental Congress in Philadelphia, on March 31, 1776, midway between the New Year's Day publication of Thomas Paine's Common Sense and the signing of the Declaration of Independence. The letter read:

> . . . . in the new Code of Laws which I suppose it will be necessary for you to make justice and would remember the Ladies. . . . and will not hold ourselves bound by any Laws in which we have no voice or Representation. . .

A century later, however, and for almost another century after that, educational opportunities as well as laws remained considerably less than generous and favorable as far as Ladies were concerned.

In 1882, a different approach to the encouragement of female education began to unfold. A publication of a Ladies Magazine by Sarah Josepha Buell Hale, and The Lady's Book by Louis A. Godey, marked the year 1837 as a landmark year for women's opportunities. Miss Godey's purpose was the education of females. She campaigned for high schools for girls, promoted the idea of normal schools and college for women, even "outrageously" urged medical education for women at a time when such training was regarded as plainly inappropriate for "delicate souls." The conclusion of her editorial career of nearly a half century marked the beginning of the upsurge in higher education opportunities for women throughout the land.

In any case, the early decades of the nineteenth century did at least see the first steps toward introducing women to organized secondary and postsecondary education.

A more subtle but in the long run more significant development also occurred in Massachusetts in the form of laws enacted between 1827 and 1834 that required tax support for public schools and declared them free to pupils.

Ultimately this concept of universal tax supported schooling was to give a dramatic new dimension to the principle of equality set forth in the Declaration of Independence. In 1840 the Sixth Decennial Census conducted that year included for the first time statistics about schooling. Women, however, like Blacks and Indians, were not considered in the enumeration of citizens over the age of 20 who could neither read or write.

Similarly, women abolitionists were excluded from delegate participation in a World Anti-Slavery Convention held in London in 1841. For two of the women thus excluded, the action was the last straw. Elizabeth Cady Stanton and Lucretia Mott returned home and held a convention and formed a society to advance the rights of women. The result was the first women's rights conference the nation had ever seen, convened in 1848 at Seneca Falls, New York.

So it was that three quarters of a century after Abigail Adams made her prediction, the rebellion surfaced. In any case, Abigail Adams' rebellion had been launched, though numerous other developments proved to be necessary before it achieved substance or even significant recognition.

One such development occurred when President Lincoln signed the Morrill Act as the first of a series of Federal laws providing grants of land and other support for establishment and maintenance of what became known as the "Land-grant" institutions of higher learning. None of these laws contained provisions specifically discriminating against females. Another development was in 1912--the establishment of the Children's Bureau, whose work in getting States to outlaw child labor served to supplement an Office of Education drive to encourage compulsory school attendance throughout the land, with girls being incidental beneficiaries.

1920 brought some landmark advances in the drive for women's rights, with action at the Federal level. June 5 marked the establishment of the Women's Bureau in the Department of Labor, with responsibility for formulating standards and policies to promote the welfare of wage-earning women.

On August 26, came the addition to the Constitution of the 19th Amendment enfranchising women nationwide.

In 1939, during World War II, the United States could claim, according to Kathryn Heath, the lion's share of the best educated women in the civilian capacities.[9] Women won the nation's respect, but not to the extent, as individual leaders and various women's groups insistently pointed out, that they were treated on an equitable basis with men. In education, for example, male faculty members received far higher salaries than their female counterparts, and men overwhelmingly dominated the ranks of school administrators.

Hopes for change finally became realistic in the 1960's. In 1961, the President's Commission on the Status of Women was established. The Civil Rights Act of 1964 was also a very significant landmark. Hopes for change again flared with the breakthrough in the wall of sex discrimination. In October 1967, President Johnson issued an Executive Order 11375, which amended the previous nondiscrimination order to prohibit discrimination because of sex. As a result, educational institutions holding federal contracts face loss of those contracts if they practice sex discrimination in employment. The order also requires an "affirmative action." This is where each contracting educational institution must submit to the Department of Health, Education, and Welfare their affirmative plans for eliminating sex discrimination.

During the 1970's there are three particular pieces of federal legislation that made 1972 a climactic historical date in the drive by women for treatment in education equal to that of men. These landmark bills are the Equal Employment Opportunity Act of 1972, the Education Amendments of 1972, and the Health Manpower Training Act of 1971.

These pieces of legislation gave the educational institutes far reaching obligations. Among the broadest are those set forth by the Equal Employment Opportunity Act of 1972, which brings educators under the employment unbrella of the Civil Rights Act of 1964. Educational institutions are now forbidden by the provisions of Title VII of that act to discriminate against professionals as well as other employees, not only because of race, color, religion, or national origin, but also because of their sex. To administer Title VII, the Civil Right Act established a national Equal Employment Opportunity Commission with general counsel empowered to bring civil action against employers who discriminate. One of the most important titles is Title IX of the Education Amendments of 1972 which prohibits sex discrimination in schools at all levels that receive federal support. One particular aspect of significance is the fact that the legislation amends the equal pay provisions of the Fair Labor Standards Act, which prohibits discrimination in wages because of sex. Now under the protection of this act are professional workers and faculty members, for example, who had previously been exempted. This Women's Educational Equity Act represents a significant congressional effort to confront the massive problems of sexism in American education, manifested in a variety of discriminatory attitudes, stereotypes and practices.

In June 1972, the Congress passed Title IX of the Education Amendments. It reads:

> no person in the United States shall, on the basis of sex be excluded from participation in, be denied the benefits of or be subjected to discrimination under any education program or activity receiving Federal financial assistance.

The Women's Educational Equity Act was enacted in 1974 as part of the Special Projects Act of the Educational Amendments of 1974, Public law 93-380. The Sponsors of the legislation, Congresswoman Patsy T. Mink and Vice President Walter F. Mondale; recognized the need for legislation designed to promote educational equity for women and girls. Therefore, the House of Representatives and the Senate conducted public hearings in the summer and fall of 1973.

During the deliberation of the resulting new law, individuals and organizations noted two existing conditions which they believed made the passage of said law essential.

> Testimony indicated that girls were frequently denied the opportunity to enroll in traditionally male courses such as industrial arts and boys the opportunity to enroll in courses such as home economics because of overtly discriminatory secondary school policies. Even if such course enrollment restrictions were not present and a student interest existed, boys and girls would be counseled to enroll in traditionally male and female career development courses.
>
> Evidence concerning physical education activities indicated that women and girls were shortchanged.

A national survey conducted in 1970-71 by the National Education Association showed that while women constituted 67 percent of all public school teachers, they accounted for only 15 percent of the principles and 0.6 percent of the superintendents. Most of the women holding administrative positions were confined to the elementary school level. Specifically, women represented 19 percent of the nation's elementary school principles and three percent at the senior high level.

A study by the National Center for Educational Statistics revealed that as of 1973, women college faculty members received average salaries almost $2,500 less than those of their male counterparts. The study also showed that 9.7 percent of female faculty members had achieved the rank of professor, contrasted with 25.5 percent of males.

After the testimony and hearings, DHEW's Office for Civil Rights drew up the proposed regulations to carry out the nondiscrimination principles of Title IX. The purpose of Title IX is clearly and simply to prohibit sex discrimination against students and employees of education programs and activities receiving Federal funds. The Title IX Regulations provide that females and males must be afforded equal opportunity with regard to:

- admissions to most education institutions;
- access to and treatment in curricular and extracurricular programs and activities sponsored by education agencies and institutions;
- treatment under regulations and policies governing student benefits, services, conduct and dress;
- access to employment in education agencies and institutions;
- terms, conditions, and benefits of such employment.

Drafted on the basis of the proposed regulations issued in June of 1974 and reflecting a number of changes suggested by concerned citizens, organizations and institutions, final regulations have been signed by the President as required by the Statute, effective July 21, 1975. They specify detailed prohibitions of sex discrimination in education agencies and institutions receiving federal funds.

Title IX is an important tool for the improvement of education practice and institutions so that they may more effectively meet the individual needs of all students and the need of our society for the fuller utilization of the talents within it.

Making the necessary changes will be a complicated and difficult job. But the effort must be made; in part because of the law, but also because our society as a whole and the education community in particular are suffering from an increasing waste of training, brainpower, and talent resulting from closing doors to women.

Ther are numerous statistics and various unwritten policies which clearly notify women of their inferior status. "Men still do not take women as professionals seriously," said Gabrille Kirk McDonald, U. S. District Judge. "We still have to prove. . . that we are competent and this chosen profession is what we really want to do. We have all the laws we need. All we have to do to effectuate change is to get into positions that are responsible for effecting change in our economic situation."[10] But the real questions are: Are the laws being implemented? Do job qualifications, employment interviews, and testing procedures tend to screen out women? Are female students accepted by the institutions on the same basis as men? Are certain courses closed to girls and others to boys? If the institution has federal contracts, has it drawn up and submitted to OE an affirmative action plan?

In short, the issue boils down to this: Given the equal employment and equal opportunity standards now required by the laws of the land, does the school or college get a passing grade, or is it failing?

NOTES

[1] Martha Matthews and Shirly McCune, Why Title IX?, (Washington, D.C.: Resource Center on Sex Roles in Education National Foundation for the Improvement of Education), p. 2.

[2] U. S. Department of Labor, Bureau of Labor Statistics and Women's Bureau, (April, 1980).

[3] Elizabeth Koontz, The Best Kept Secret of the Past 5000 Years: Women are Ready for Leadership (Bloomington, Ind, The Phi Delta Kappa Education Foundation, 1972), p. 8.

[4] Ibid., p. 9.

[5] Ibid., p. 9, quoting Outline of History.

[6] Ibid.

[7] Ibid.

[8] Ibid.

[9] Kathryn G. Heath, "The Female Equation," American Education (November 1974), p. 23.

[10] "Judge says Black Women are faced with special bias," Fort Worth Star-Telegram, August 6, 1980, Sec. A, p. 9.

REHABILITATION ACT, SECTION 504: ITS ORIGIN AND IMPLICATIONS

by
Norma V. Ayala

Introduction

On September 26, 1973, Congress passed the Rehabilitation Act which contained the most important provision for handicapped individuals, Section 504. This Act was the first imposed control over the administration of special education programs whenever the state educational agency received any Federal financial assistance. It represents the first Federal civil rights law protecting the right of handicapped persons and it reflects the national commitment to end discrimination on the basis of handicap. Section 504 is divided into seven subparts: (a) general provisions; (b) employment practices; (c) program accessibility; (d) preschool, elementary, secondary, and adult education; (e) health, welfare, and other social services, and (f) procedures (Clelland, 1978; Bersoff & Veltman, 1979).

Purpose

The purpose of this report is two-fold: (a) to review literature which led to the development of the Rehabilitation Act of 1973, Section 504, through legislative acts and litigations; and (b) to examine the implications of one phase of Section 504, which ensures that no qualified handicapped individual will be denied from participation in a program or ac-ivity because it is inaccessible or unusable to handicapped individuals.

Background

The history of man has always shown fluctuations in society's treatment of the handicapped people. The moral sentiments of the people have varied because of the influ-

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ences of philosophy, religious teachings, utilitarian considerations, and the relative enlightenment of society at a given point in history (Melchor, 1976).

During ancient times the handicapped were perceived as bad omens, drags on society, non-workers, accursed by the gods, and not worthy of human rights. During the Renaissance, kings wrote laws to provide protection for the handicapped population in areas, property rights and criminal law. The 18th and 19th centuries absorbed the handicapped population but without any measurable productivity. Not until the twentieth century were there any significant developments and improvements in educational programs for exceptional children, with the most rapid development occuring since mid-century (Gearheart, 1974; Melchor, 1976).

Until the 1950's, federal responsibility for the handicapped was limited to minimal programs of assistance for the deaf and blind (Gearheart, 1974). In 1864, a federal law resulted in establishment of Galludet College, a national college for the deaf. In 1879, the Congress of the United States provided an annual sum of $10,000 to obtain books and materials for blind students throughout the nation.

Although it appears that education for the handicapped was given little attention, so was education in general. Education was seen as a function of the states and the federal government rarely intervened.

Legislative Acts

In a review of literature, major legislative acts by the federal government which preceded the eventual passage of Section 504 of the Rehabilitation Act, 1973 were noted. The following list was provided to demonstrate the federal government's understanding of the needs of the handicapped.

1931		Section on Exceptional Children and Youth established.
1964		Civil Rights Act
1965	PL 89-10	"Elementary and Secondary Act" provided funds for handicapped children.
	PL 89-258	"Professional and Personnel Act" provided for construction, equipping, and operation of research and demonstration facilities.
	PL 89-313	Provided for "Aid for Education of Handicapped Children in State Operated Institutions."
1966	PL 89-750	Title VI, "Elementary and Secondary Act" included three facets: 1. provide grants to states to initiate, expand and improve programs for handicapped children 2. establishment of a National Advisory Committee on Handicapped Children to advise Commissioner of

		Education as to the national needs and priorities of the handicapped 3. establish a "Bureau of Education for the Handicapped."
	PL 89-752	Amendment of "Higher Education Facilities Act" which included a provision to eliminate all architectural barriers to the handicapped in institutions of higher learning which use federal funds in building new facilities.
1967	PL 90-247	"Amendments to the Elementary and Secondary Act": Title I - to provide support of handicapped children in state operated schools Title III - to provide 15 percent funds for programs for the handicapped Title IV - to include grants to federal schools.
1968	PL 90-470	"Eliminate Architectural Barriers to the Physically Handicapped." This bill made it mandatory that all buildings built in part, or in total with federal funds, be constructed so that the physically handicapped could be mobile.
1970	PL 91-230	"Education of the Handicapped Act" consolidated provisions of previous legislation pertaining to handicapped children and extended federal financial assistance.
1973	PL 93-112	"Rehabilitation Act" which contains its most important provision, Section 504

Landmark Litigation

According to the Fourteenth Amendment of the United States Consitution (1868):

> No state shall make or enforce any law which shall abridge the privelege or immunities of citizens of the United States; nor shall any State deprive any person within its jurisdiction the equal protections of the laws.

This amendment also prohibited any state from denying a governmental benefit such as special education to any individual because of race, sex, age, or handicap.

In 1954, the U.S. Supreme Court ruled in Brown v. Board of Education that racial segregation in the public schools violated the Fourteenth Amendment. This act served as the foundation on which a number of cases have recently been based (Bersoff & Veltman, 1979; Gearheart, 1974) in that the court held that "separate but equal" education facilities were unequal and stated:

> In these days, it is doubtful that any child may reasonably be expected to succeed in life if he is denied the opportunity of an education. Such an opportunity, where the state has undertaken to provide it, is a right which must be made available to all on equal terms (Brown v. Board of Education, 1954).

Shortly after this decision, the editor of Children Limited, a newsletter of the National Association for Retarded Children, received a letter (Zettel & Ballard, 1979). The author noted the relationship and importance of the Brown decision for handicapped children: "You will recogize, I am sure, that this statement of equal opportunity applies to the handicapped as it does minorities (Children Limited, 1955). It is not known whether others at that time shared in similar feelings. It was not until sixteen years later that the concept of equal educational opportunity applied to handicapped children in the "Education of the Handicapped Act" of 1970.

Two landmark cases, Pennsylvania Association for Retarded Children (PARC) v. Commonwealth of Pennsylvania (1972) and Mills v. Board of Education (1972) brought about changes for the handicapped (Gearheart, 1974; Bersoff & Veltman, 1979; Zettel & Batlard, 1979). The PARC suit charged that the state failed to provide all retarded children access to a free public education. The suit was resolved by a consent agreement that specified many important rights for mentally retarded students. They included: the right to access to a free public program of education and training appropriate to the capacities of each retarded child; the opportunity for a due process hearing when a possible charge in educational status is considered; and re-evaluation of the students present assignment at least every two years. The agreement also stated that placement in a public school was preferable to an alternative program. It also required the state to locate and identify all school-age retarded children and place them in a free public program of education and training appropriate to their capacity and needs.

In Mills v. Board of Education, the parents and guardians of seven children in the District of Columbia brought a class action suit against the District on behalf of the children who were out of school. The court held that all children in the District of Columbia must be provided an education suitable to their needs.

During the next two and one-half years, forty-six similar right to education cases followed in twenty-eight states (Zettel & Ballard, 1979). Therefore, PARC and Mills established that the rights of handicapped children were by both the Equal Protection and Due Process Clauses of the Fourteenth Amendment (Bersoff & Veltman, 1979).

Rehabilitation Act

On September 26, 1973, Title V, the Rehabilitation Act became law. This Act contained five sections, four of which relate to affirmative action for handicapped individuals and one (Section 504) which relates to remedial action, voluntary action, and self evaluation (Clelland, 1978).

Section 501, Employment of the Handicayped Individuals, required development of affirmative action programs for employment of individuals in federal agencies. Section 502, Architectural and Transportation Barriers Compliance Board, dealt with the architectural, transportational, and attitudinal barriers confronting handicapped individuals particularly in public buildings and facilities, residential and institutional housing. Section 503, Employment Under Federal Contract, required Federal government contract furnished with supplied or services must contain a provision to recruit, hire, and advance qualified handicapped persons. Section 504, Non-discrimination Under Federal Grants, prohibits persons in Federally assisted programs to discriminate against the handicapped (Clelland, 1978). Section 504, was intended to have the same effect that would have been obtained had handicapped persons been included in the Civil Rights Act of 1964 (Bersoff & Veltman, 1979).

The definition of "Handicapped individual" in the 1973 Act included anyone who:

a. has a physical or mental disability which for such individual constitutes or results in substantial handicap to employment, and
b. can reasonably be expected to benefit in terms of employability from focational rehabilitation services.

The definition was amended in 1974 for Section 504 and the other provisions of Titles IV and V as any person who:

a. has a physical or mental impairment which substantially limits one or more of such person's major life activities, or
b. has a record of such an impairment, or
c. is regarded as having such an impairment.

Handicapping conditions include, but are not limited to: alcoholism, cancer, cerebral palsy, deafness or hearing impairment, diabetes, drug addiction, epilespy, heart disease, mental or emotional illness, mental retardation, multiple sclerosis, muscular dystrophy, orthopedic, speech or visual impairment, percentual handicaps such as dyslexia, minimal brain dysfunction, and developmental aphasia.

In November 1974, Congress received the first report from the Architectural and Transportation Barriers Compliance Board (A&TBCB) which summarized the accessibility problems of handicapped individuals:

> Approximately 22 million people, or 10 percent of the entire population in the United States have physical impairments which restrict them from normal daily activities. For the most part, they are a hidden population, isolated in a household environment and restricted from contributing their talents as active members of the community. One of the major obstacles to their participation is societal endeavors is physical design of our man-made environment. The transportation systems, buildings, and facilities that are an integral part of our urban environments are designed and built to accommodate only a portion of its residents--they physically impaired.

Every federal agency was to promulgate its own regulations for Section 504. On May 4, 1977, the U.S. Department of Health, Education, and Welfare (HEW), published its regulations in the Federal Register on Section 504. The regulations were divided into seven subparts.

1. General Provisions: the purpose of the regulations and their application;
2. Employment Practices: discrimination prohibited reasonable accommodation, employment criteria, and preemployment requirements;
3. Program Accessibility: discrimination prohibited, requiredments for existing facilities and new construction;
4. Preschool, Elementary and Secondary Education: the application of the subpart and requirements concerning location and notification, free and appropriate education, educational setting, evaluation and placement, procedural safeguards, nonacademic services, and preschool, adult and private education;
5. Postsecondary Education: the application of the subpart; and requirements concerning admissions and recruitment, treatment of students, academic adjustments, housing, financial and employment assistance to students, and nonacademic studies;
6. Health, Welfare and Social Services: the application or the subpart and the requirements concerning services;
7. Procedures: those to be followed to ensure compliance.

Program Accessibility

There is one general requirement of the Section 504 regulation concerning program accessibility which provides that no qualified handicapped person shall be denied the benefits of, be excluded from participation in, or be subjected to discrimination under any Federally assisted program because a facility is inaccessible to or unusable by handicapped persons (Clelland, 1978). It does not require a school district to make every facility or every part of its facility accessible to and unusable by handicapped children if the program as a whole is accessible. However, the public school district cannot make only one facility or part of a facility accessible if the result is to segregate the handicapped into one setting. Accessibility of the program may be achieved by: redesigning of equipment, reassignment of classes to another accessible building, assigning aides to handicapped persons, structural changes or construction of new buildings, and home visits.

In the May 4, 1977, Federal Register, a timeline was arranged in order for local education agencies to comply with the mandate. Local education agencies were required to comply to May 4 regulations within sixty days. In the event structural changes were necessary they were to develop a transition plan that delineated necessary steps to complete changes by December 2, 1977. This plan must have:

a. identified physical obstacles that limited accessibility,
b. described methods that were used to make the facilities accessible,
c. specified the annual schedule for completion to achieve program accessibility, and
d. indicated the person responsible for implementation of the plan.

By June 2, 1980 structural changes were to be made in facilities necessary to achieve program accessibility.

New buildings must be designed and constructed to make them readily accessible to and usable by handicapped persons on or after the June 3, 1977 effective date. This requirement pertains only to construction begun after the effective date. The construction must meet the requirements set by by the American National Standards Institute (ANSI), or a standard which clearly provides equivalent access (Clelland, 1978; Bennet, 1979).

The ANSI standards included precise specifications designed to ensure that handicapped persons will have access to and be able to use facilities. These included but were not limited to: doors, stairways, parking, elevators, walkways, corridors, ramps, dormitories, sanitary facilities (toilets, sinks, showers, mirrors), dining areas, lecture halls and classrooms, laboratories, spectator spaces, physical education facilities, libarries, drinking fountains, light switches, telephones, and electrical outlets.

Economic Implications

The three year implementation period was an opportunity for agencies to include costs in future budgets. Section 504 is a civil rights law, therefore, monies were not appropriated to assist agencies to comply with its regulations. Federal funds specifically applicable to making facilities comply with regulations were provided in the 1976 Education Amendments. Those funds were allocated only to higher education agencies as special loans and grants (Woodward, 1977). Public Law 94-142, "The Education For All Handicapped Children Act," Section 607, awards grants to pay all or part of the cost of altering existing buildings and equipment to eliminate architectural barriers in educational facilities.

Conclusion

Section 504 of the Rehabilitation Act has been a great influence on P.L. 94-142 in terms of the removal of architectural barriers and of the provision of equal educational opportunities for all children (Harmon, 1979). Both regulations correlated closely in prohibiting discrimination to handicapped individuals in Federally assisted agencies. Both regulations basically require: a free appropriate education, handicapped students be educated with non-handicapped students, educational agencies identify and locate all adopted to insure appropriate classification and educational services, and procedural safeguards must be established. Section 504 in cooperation with P.L. 94-142 provided much needed relief to handicapped children in that they are able to obtain an accessible and usuable educational program.

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EDUCATION AND THE MIGRANT CHILD

by
Hervey Gómez

Approximately one third of the six million people who work on farms in the United States each year are migrant workers who depend on seasonal farmwork for a living. The number of children who accompany their parents is estimated to be anywhere from one to two million. The exact number is unknown.

Because of their unique lifestyle, migrants work hard but earn little. Their children, in turn, suffer not only poverty, discrimination, and poor health, but they also suffer educationally. Governmental programs which are geared to alleviate their educational ailments have been formulated but, although they have improved matters, they have yet to resolve the problem of educating the migrant child completely.

Historical Background

Seasonal farmwork first became an occupation in the United States in the 19th Century when large frams in the midwest and California began producing wheat and hiring extra workers only at the time of harvest. By 1870 California specialized in fruit and vegetable crops in the San Joaquin Valley. Because of mechanization, the principal crops using seasonal labor in the United States today are fruits and vegetables intended for the fresh market. Machines are not yet available to harvest strawberries, tomatoes, beans, apples, grapes, citrus fruits, peaches, cherries, and cannot compete with handworkers (Sosnick, 1978, p. 3-5).

In Texas, the demand for migrant labor resulted largely from: (1) the development of new cotton producing areas, (2) the partial mechanization of cotton production, and (3) the introduction of fresh fruit and vegetable industries in South Texas (Coalson, 1977, p. 1).

Three factors created a great demand for seasonal labor at various harvest times and required harvesting done by

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hand by workers willing to travel throughout the state and to work for short periods of time wherever they were needed. Before the Civil War, lack of transportation for getting farm products to market had limited farming in many Texas regions. By 1922, with the expansion of the railway system, approximately 93% of the land was being cultivated, with 66% of the land planted in cotton. By 1937 mechanization resulted in larger amounts of acreage being cultivated in cotton and therefore farmers were forced to depend on outside seasonal labor to supplement the resident labor force during harvest time. By 1920 the citrus industry in the lower Rio Grande Valley of Texas had developed into a thriving business. It was made possible by the development of irrigation, improvements in transportation, and the perfection of refrigeration to preserve perishable goods. The difference in wages which was offered by states other than Texas started the migration of Mexican Americans to the northern beet and vegetable fields (Coalson, pp. 12-42).

According to Sosnick, people do seasonal work for various reasons. The reasons include:

1. Family heritage, i.e., the father was migrant or farm laborer.
2. Downward mobility.
3. Lack of alternative means of support.
4. The flexible schedule of seasonal farm work and the independence it gives.
5. Lack of faith in the ability to survive in non-farm work due to lack of education and English speaking ability (Sosnick, pp. 46-48).

Hathaway, on the other hand, states that families migrate because:

1. Depression of agricultural products and trends toward mechanization and large-scale production have led to abandonment of farms and to transfer of farmers and farm laborers to migratory workers in the same industry.
2. Seasonal unemployment that lead workers to become migrant during slack periods lead to extension of migration throughout the year in efforts to secure employment.
3. Part-time employment leads to new efforts to supplement income; complete unemployment leads to search for a job in other communities; the seasonal demand for migratory workers and the economics of migrant life suggest a ready and easy solution (Hathaway, 1972, p. 51).

General Characteristics of Migrants

Migratory workers travel to agricultural areas in 900 counties of 46 states. They harvest fresh fruits and vegetables and also do thinning and weeding of the land prior to harvest time. It is generally accepted that three major migration routes exist. One along the Atlantic coast made up of Florida Negroes working their way to New York and the New England states. A second route originates from South Texas and is composed mainly of Mexican Americans traveling in family groups who travel north for the summer to work in the Mountain, Great Plains, and Great Lakes states and return in the winter to work in the Texas Valley, in the Texas Panhandle, or in Florida. The third route starts in California and is made up of both Mexican American and Anglos moving from county to county in California and north into Oregon and Washington with a few migrating as far as Idaho (Duran and Bernard, 1973, pp. 485-486).

The Mexican American migrant accounts for the largest percentage of the total migrant stream. In southern Texas the average Mexican American family size was 6.5 members compared to 2.8 persons in the average Negro family from Florida.

According to Duran, Migrants suffer many hardships, such as:

1. They earn the lowest income of any group of workers. In spite of the 1966 Fair Labor Standards Act, in 1968 Texas farm wages ranged from $1.25 per hour in the Panhandle to $1.00 in the Edwards Plateau and to $.80 per hour in the lower Rio Grande Valley.
2. They are often unemployed or underemployed several months a year. Jobs are subject to weather conditions. The total number of working days range from 131 to 150 days per year.
3. Injuries and occupational diseases are frequent, the third highest rate of disabling work injuries in any job.
4. Maintenance of health is a problem since community health services are not available as they are not members of the community.
5. Housing lacks, controlled water purity, and sewage disposal.
6. Children incur injuries due to lack of daycare facilities.
7. Many communities have definite discrimination policies toward migrants.
8. The educational level of migrants is the lowest of any single group in the country (Duran and Bernard, pp. 485-491).

However, some of these conditions are changing now. Government programs (as described below) have been attempting to alleviate these hardships and have concentrated great efforts in the areas of health, housing, and education.

The Migrant Child and Education

With regard to education, the children of migrant workers are "the group with the highest dropout rates, the lowest achievement levels, and the most failures" (Cardenas, 1976).

The lack of an adequate education for migrant children is aggravated by their migratory lifestyle which in turn perpetuates their migratory status. Many factors exist which contribute to poor school attendance and educational achievement. The following are some of the outstanding factors:

1. Migrants often deem school to be useless while they are migrating from one area to another without spending sufficient time in one place for their children to gain an education.
2. Discrimination by both teachers and parents often occurs in schools. Often the migrant child is not welcome and not allowed to associate with the community children.
3. Despite the fact that migrants contribute to the wealth of the community, this money does not reach the school system in sufficient amounts to cope with the number of migrant children. Thus, before special programs were developed, local schools often could not afford the influx of migrant children.
4. Some school boards are either unaware of or unconcerned with migrant needs in education. If the school year is nearly completed, it may be easier to overlook the needs of such children, even if they are realized.
5. Migrant children, because of their frequent moves, are usually behind their age group. It is sometimes very difficult to ascertain just where each student should be placed and exactly what his needs are. This was particularly true in the past when children moved from one school to the next with no records at all. Current procedures are aimed at either providing the children with records or sending the records ahead to the next anticipated school. Both of these techniques are designed to alleviate his fifth difficulty.
6. Migrant parents are not always concerned about the benefits of education. They may regard school as simply an additional expense that they

> cannot afford. To have children in school requires certain basic equipment such as shoes and clothing and eliminates the earning power of an older child. Therefore, unless a school system is particularly designed to teach migrant children skills they can use as measured by their parents, it will probably not be attended with any regularity (Kurth, 1960, pp. 209-210).

These factors all combine in making migrant education a formidable problem.

Educational Needs

Providing equal educational opportunities for migratory children has been one of the biggest challenges faced by the nation's educational institutions. Johnson and Hernandez state that:

> None of the educational needs of this group are unique or new; the difficulty is that so many needs are combined for these people. They share the handicaps of extreme poverty with all others at the bottom of the economic ladder, the handicaps of segregation with all who live outside the central culture, the handicaps of language with others who speak a different tongue or a form of nonstandard English, and the handicaps of migrancy with increasingly numerous rootless people whose work requires frequent moves (Johnson and Hernandez, 1970, p. 333).

They further summarize the educational needs of migratory children as the following:

> 1. Equal opportunity. Migrant children, youth, and adults need educational programs which offer them the same opportunity for maximum development as that which is available to any other group.
> 2. Identification and citizenship. Educational programs should be planned to help migrant people identify with the community and with the country as participating citizens.
> 3. Attitudes favorable to success. Migrant people need educational experiences planned to develop and strengthen self-confidence and self-direction.
> 4. Relevance and meaning. Educational programs should be directly and immediately related to the experiences, needs, and goals of migrant people.

5. Mastery of English. Schools should provide systematic instruction in the English language, both for children and youth who speak a different language and for those who speak nonstandard English.
6. Vocational guidance and education. Schools should open the way to improved vocational opportunities for members of migrant families.
7. Better living. School programs should help migrant people to deal with problems of daily living under camp conditions and to develop the skills and knowledge needed for better living (Johnson and Hernandez, p. 334).

The challenge is indeed formidable and in 1966 legislative measures to answer that challenge were finally passed. They resulted from public demand for education programs geared to the needs of the migrant child.

Reports on the Education of the Migrant Child

In 1956 the U. S. Department of Labor published the President's Committee on Migratory Labor first report. It estimated the domestic migrant work force to be three fourths of a million people. This report noted the annual earnings were low, that travel and housing conditions were below minimum standards and that the educational opportunities for migrant children were reduced as the result of migration. It suggested standards for regulating labor camps and transportation by automobile (Manuel, 1965, p. 141).

In a 1961 report of the California Third Annual Conference on "Children Who Follow the Crops," pointed out the need for more education for the migrant. It stated:

> Many of the undereducated and unskilled, instead of finding a haven in farm labor, could be forced out of agriculture by today's and tomorrow's farm machines. Unless these people get more education or training, they may have difficulty finding employment in either mechanized agriculture or the general labor market. . . . For the children of our migratory families, sometimes five years behind others of their ages, who is to say that enough farm jobs, or any jobs, at the grade-three educational level will still be available when they grow up into an advancing world (Manuel, p. 142).

The Texas Employment Commission's report, Migration 1961, estimated that the total migration from Texas that year was 90,000 people of whom 27,277 were children under the age of 16. It was estimated that in 1961 migration interrupted the education of 15,000 children of Texas migrant workers (Manuel, p. 142).

In the Report of Two Conferences on Planning Education for Agricultural Migrants by the U. S. Office of Education in 1957, eight factors were seen as barriers to the Spanish-speaking migrant child's education. They were:

1. Frequent moves from one community to another make school attendance difficult.
2. Parents of migrant children often do not recognize the importance of schooling.
3. School organization is not flexible enough to accommodate large increases of non-resident children.
4. School curriculum experiences are not adapted to the needs of migrant children.
5. Community indifference or rejection of migrant families.
6. Inadquate school facilities and lack of funds.
7. Inadequate advance information by school administrators about number of children and time of arrival.
8. Meager records of the previous school experience of the children (Manuel, p. 146).

Report after report received from various governmental agencies and other interested groups pointed out a need for intervention on behalf of the migrant child. The Catholic Church Bishop's Committee for Spanish-speaking People, the Texas GI Forum and the League of United Latin American Citizens (LULAC) demanded legislative action (Coalson, p. 121).

Legislation Affecting the Migrant Child's Education

In November 1966, in response to a continuing need, Title I of Public Law 89-10, the Elementary and Secondary Education Act (ESEA) of 1965, which authorized a national program of Federal education support for disadvantaged children, was amended by Public Law 89-750 to incorporate special provisions for migratory children of migratory agricultural workers. Section 103 of Public Law 89-750 authorizes:

1. State education agencies to receive payment for education of the children of migrant workers.
2. It provided grants to educational agencies or combination of agencies for the purpose of establishing, improving directly or through the local education agency, any program or project designed to meet the special educational needs of the children of migrant workers.
3. It also provided grant monies to be used for interstate cooperation of migrant education programs and projects, including the transfer of necessary information from the child's school record's (U.S. Office of Education, 1978).

In 1974 the program was extended to include children of migratory fishermen and in 1978 to children whose parents harvest forests. To make the transition easier, migrant children may also receive Title I services for five years after their families have stopped migrating (Warfield, 1979, p. 19).

The Education Amendments of 1967 (Pub. L. 90-247), of 1969 (Pub. L. 91-230), and of 1972 (Pub. L. 93-380) amending the Title I migrant education statute provided for the following:

1. Provided statements concerning the elibigility of formerly migratory children.
2. The reallocation of excess funds.
3. The use of carryover funds.
4. The dissemination of information.
5. Parental involvement.
6. Prohibition against supplanting State and local funds.
7. Preschool services.
8. Use of statistics from MSRTS for funding purposes.
9. The eligibility of migratory fishers.
10. The identifiaction and dissemination of information concerning new and successful projects (U. S. Office of Education, 1978).

Definition of a Migrant Child

In order to determine which children are eligible for the migrant education program, it is necessary to define several terms. According to the November 13, 1978, Federal Register a currently migratory child is:

1. A child whose parent or guardian is a migratory agricultural worker or a migratory fisher; and
2. who has moved within the past 12 months from one school district to another--or, in a state that is comprised of a single school district, has moved from one school administrative area to another--to enable the child, the child's guardian, or a member of the child's immediate family to obtain temporary or seasonal employment in and agricultural or fishing activity.

A formerly migratory child is:

1. A child who was eligible to be counted and served as a currently migratory child within the past five years but is not now a currently migratory child;

2. lives in an area served by a Title I migrant education project; and
3. has the concurrence of his or her parent or guardian to continue to be considered a migratory child (Serrano, 1979, p. 4).

It includes a child who with or without a parent has continued to migrate annually to enable him to obtain employment.

Administration of Migrant Education

The legislation stipulates that Title I migrant financial assistance to local education agencies be state-administered. The U. S. Office of Education, State education agencies, local education agencies and other public and non-profit private organizations which operate migrant education projects share the operational responsibilities of the program.

The State education agency must annually submit a plan with cost estimate to the U. S. Office of Education for approval. It contains information on the number and location of migrant students within the State, their special educational needs, including educational skills, and cultural and linguistic background. These facts are an important assessment of the educational needs of the children, program objectives and services to be proveded, and evaluation procedures to determine program effectiveness, information the State Education Agency (SEA) will transmit to other SEA's to assure service continuity, dissemination of information and the establishment of a State parental involvement council for program planning and evaluation. An appropriate budget which shows that payments will be used for continuity of the migrant child's education and supportive services must accompany each application. The SEA can then approve or disapprove the local project proposal.

If the application is approved a grant separate from regular Title I allocations is awarded. Detailed project summaries showing how the state objectives were met are required from each SEA to the U. S. Office of Education.

Local Education Agencies (LEA's) submit to the State education agencies their proposals to operate a migrant education project. The proposal has to describe the objectives to be achieved for each age group, an estimate of the number of children to be served and a description of services to be provided to accomplish the stated objectives.

All states are required to participate in the inter and intra-state transfer of records. An equal percentage of each state's annual grant allocation must be set aside to fund the Migrant Student Records Transfer System (MSRTS) since it adds substantually to the overall welfare and education of the migrant child.

Because Title I local and Title I migrant education projects frequently overlap, coordination between the two programs is necessary. Under Title I local programs, the SEA has general administrative responsibility. LEA's develop proposals and then submit them to the SEA for approval. Under Title I migrant education programs, the SEA has full administrative control and may directly operate projects with its own resources or indirectly through an agreement with an LEA, with non-profit organizations, with colleges, or any combination of these agencies (U. S. Office of Education, 1978).

Goals and Objectives of Migrant Education Programs

In May 1971, the Committee for National Evaluation of Migrant Education Programs formulated eleven goals which were adopted by the State migrant education coordinators. They are as follows:

Instructional Services

1. Provide the opportunity for each migrant child to improve communications skills necessary for varying situations.
2. Provide the migrant child with preschool and kindergarten experiences geared to his psychological and physiological development that will prepare him to function successfully.
3. Provide specially designed programs in the academic disciplines (language arts, mathematics, social studies, and other academic endeavors) that will increase the migrant child's capabilities to function at a level concomitant with his potential.
4. Provide specially designed activities which will increase the migrant child's social growth, positive self-concept, and group interaction skills.
5. Provide programs that will improve the academic skill, prevocational orientation, and vocational skill training for older migrant children.
6. Implement programs, utilizing every available Federal, State, and local resource through coordinated funding, in order to improve mutual understanding and appreciation of cultural differences among children.

Supportive Services

7. Develop in each program a component of intrastate and interstate communications for exchange of student records, methods, concepts, and materials to assure that sequence and continuity will be an inherent part of the migrant child's total educational program.
8. Develop communications involving the school, the community and its agencies, and the target group

to insure coordination of all available resources for the benefit of migrant children.

9. Provide for the migrant child's physical and mental well-being by including dental, medical nutritional, and psychological services.
10. Provide a program of home-school coordination which establishes relationships between the project staff and the clientele served in order to improve the effectiveness of migrant education programs and the process of parental reinforcement of student effort.
11. Increase staff self-awareness of their personal biases and possible prejudices, and upgrade their skills for teaching migrant children by conducting inservice and preservice workshops (U. S. Office of Education, 1978).

These goals can be accomplished in various ways and several programs have shown outstanding results.

Exemplary Programs

The U. S. Office of Education and the National Institute of Education have designated several projects dealing with the migrant education program as exemplary. They are the Migrant Student Records Transfer System, the Secondary Credit Exchange Program, and Project NOMAD (Serrano, 1977).

The MSRTS was initiated in November of 1968 on an experimental basis as a method of planning a sustained program of education for migrant children. Although it is not perfect it has served to coordinate the migrant child's educational records as he travels from state to state.

Terminals in 137 locations along the migrant streams are tied to a computer based at Little Rock, Arkansas State Department of Education. Information is fed into the central data bank by teletypewriter operators in one school district and can be obtained at another terminal by typing out a proper inquiry. In this way a child's health and educational record can be available within a four hour span as he travels from state to state.

Each teacher rates a student's school record under 39 headings and subheadings covering basic academic subjects. When the child leaves, coded information is sent to the computer in Little Rock. When he arrives at his next destination this information can be obtained by the next teacher and she then knows what the child needs to be instructed in next (Hogan, 1973, pp. 20-24).

The MSRTS involves inter and intrastate cooperation among a large number of officials representing a large number of jurisdictions. State departments of education in 48 states have gotten together and agreed upon a standard form for recording the necessary information and have attempted to improve the system as needed.

Project NOMAD, another exemplary program, is an educational project aimed at meeting the special educational needs of children whose parents migrate to Van Buren County in southwestern Michigan. NOMAD stands for Needs and Objectives for Migrant Advancement and Development. Students enrolled in this program advance at their own pace. They receive individual assistance in dealing with social, physical, emotional, and academic problems; they are offered tutorship and preschool education; they are provided with intensive instruction in reading, language and math.

The teachers in the program receive training with regard to teaching English as a second language; they counsel students on such matters as the importance of school attendance and adjusting to new instructors and surroundings; they involve the parents in their counseling if needed (Serrano, 1979).

The Secondary Credit Exchange Program, an educational system alternative based at the Region One Education Service Center in Edenburgh, Texas, has also been designated as exemplary. It was developed in 1970, and in 1971 received federal funding. It allows continued, uninterrupted education for the migrant and operates in the following manner:

(1) Classes are taught at night so the student can work through the day.
(2) Exchange schools communicate with home schools so the student's course can be maintained. The home schools agree to honor the course of study provided by the exchange school.
(3) Credits are transferred via interstate communication on official transcripts as the student moves from place to place.
(4) The home schools agree to grant credit for work done at the exchange school so that credits can be earned and accumulated to insure high school graduation (PTA Today, 1979).

Conclusion

The plight of the migrant child has been a longstanding problem. Federal funding of migrant education programs has been in existence since 1966. However, nine of ten migrant children still do not enter high school. Only nine percent of those who reach secondary schools graduate. Most do not go beyond the 6th grade (Serrano, 1979).

It is estimated that only a little more than one-half of the elibible children are being helped. One reason is that some districts, while knowing these children are in their community, still choose not to serve migrant children. Oftentimes the feeling persists that the migratory child is not really a part of the community.

Research at the U. S. Office of Education revealed that migrant student motivation declines as the child gets older; levels of low achievement are seen more frequently in the upper grades; educational programs lack interstate coordination and, therefore reduce the programs effectiveness. Monitoring of local schools is very limited due to the small numbers of Department of Education staff available to monitor 4,000 projects; coding for the MSRTS is time consuming and leads to delay in transmission of records.

Improvements in migrant education have come about. However, much more needs to be accomplished to provide these children with an equal opportunity for success in life, for an opportunity to achieve economic and social progress through educational achievements.

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HEALTH AND HUMAN SERVICES, WITH EMPHASIS ON PROJECT HEAD START

by
Minerva Adela Serrano

The information on the history and structure of the Department of Health and Human Services was obtained from historical background.

The roots of the Department of Health and Human Services go back to the earliest days to around 1798, when the first marine hospital,a forerunner of today's Public Health Service was established to care for seafarers;

> ...and to 1887, when the federal government opened a one room laboratory on Staten Island for research on disease and thereby planted the seed that was to grow into the National Institutes of Health and Human Services, and to 1906 when Congress passed the First Food and Drug Act authorizing the government to monitor the purity of foods and the safety of medicines, a responsibility now lodged in the department's Food and Drug Administration.[1]

President Eisenhower signed legislation establishing the Cabinet-level Department of Health, Education, and Welfare (HEW) on April 11, 1953, which was generally responsible for the administration of social service programs enacted by the U. S. Congress.

In the mid 1960's historic legislation created the Medicare and Medicaid programs making comprehensive health care available to millions of Americans. This was one of the largest scale civilian management efforts in history.

During a quarter century HEW grew as Congress opened new programs to meet human needs.

> On October 17, 1979, President Carter signed into law the Department of Education Organization Act, providing for establishment of a separate Department

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> of Education and for redesignation of the Department of Health, Education and Welfare as the new Department of Health and Human Services. HHS officially arrived in May, 1980.[2]

HEW assumed the new name of the Department of Health and Human Services (HHS). HHS is responsible for implementing more than 300 programs which are conducted by 150,000 employees at work in every state and territory and in many other countries throughout the world.

HHS is responsible for:

> The administration of programs for children, youth and families. It serves children, from infancy through adolescence, and their families. Its programs bring healing and protection for abused children, provide services for battered women and their families, reach out to runaway or homeless youths, support quality day care services to meet the needs of working parents, and give society's vulnerable children a Head Start.[3]

The following information on Head Start (which is a component of Administration for Children, Youth, and Families) was obtained from a pamphlet published by the HHS entitled Serving America's Children and Families.

> At ACYF three major bureaus serve children and families: the Head Start Bureau, the Children's Bureau, and the Youth Development Bureau. Four other offices within the agency provide special services to professionals and the public: the Day Care Division; the Office on Domestic Violence; the Research, Demonstration and Evaluation Division; and the Office of Public Information and Education.[4]

Purpose of Head Start

The Head Start Bureau was first established by the Federal Government in 1965 to help young children from low economic families get a better start in life. It was designed to include children, aged 3 to 6 and to include a full program of educational, health, nutrition and social services. This program is designed for children who are considered "at risk." Head Start works to strengthen the ability of these children to cope with school and the world around them.

> National Head Start is administered by the Head Start Bureau of ACYF. Locally, the activities of some 9,000 Head Start centers in the 50 states, Puerto Rico, the Virgin Islands, and U. S. Trust Territories are supervised by approximately 1,300

> grantees--including Community Action Agencies, public school systems and other community based organizations.
>
> Head Start was designed to be more than an educational program. While Head Start children benefit from a variety of learning experiences that help lay the groundwork for success in elementary school, they receive much more:
>
> > Hot meals each day to help meet their daily nutritional needs.
> >
> > A comprehensive health care program--including physical and dental examinations, immunizations, and follow-up on identified health problems.
> >
> > Mental health services to foster their emotional growth and help them deal with special problems.
> >
> > Social activities to help them learn to get along with others and gain in self-confidence.[5]

Since parents are the most important influence on a child's development, Head Start places strong emphasis on involving parents in all phases of the program. The parents of Head Start children attend workshops on child care and on planning well balanced meals at home. Many parents serve on the policy councils and many serve as paid or volunteer aides in Head Start classrooms.

> In every local Head Start program, an effort is made to tailor activities to the individual requirements of each child. As part of this effort, many Head Start centers have adapted their programs to meet the needs of special groups of children and families:
>
> Children who have physical or emotional handicaps are placed with non-handicapped children in Head Start classrooms and participate in most daily activities, so that they can learn to relate to other children and function well in any situation. By law, handicapped children must account for at least 10 percent of Head Start enrollment in each state.
>
> Children from Spanish-speaking families, who make up about 15 percent of all Head Start children, participate in programs that provide instruction in both English and Spanish and stress the cultural heritage of their families. Head Start has pioneered in developing bilingual-bicultural curricula for preschool children and new methods of training teachers to work with Spanish-speaking children.

Children from Native American and Migrant families take part in Head Start programs that meet their special needs. Head Start programs for Native American children preserve their tribal traditions and encourage pride in the American Indian way of life. Children of migrant farm workers, whose families move from state to state, are served by a network of Head Start programs that help them adjust to a new environment while maintaining the language and culture of their families. In the Head Start Bureau, a special Indian and Migrant Programs Division administers programs that now serve more than 10,000 Indian and migrant children.[6]

Head Start's Demonstration and Training Activities have included such innovative programs as:

Parent and Child Centers providing health, nutrition and other services to low-income families with children under age three and serve as a source of information on the needs of young children who may enter Head Start later.

The Child and Family Resource Program enrolls families with children up to age eight, identifies their needs, and helps find the community agencies that can help them.

The Child and Family Mental Health Project provides preventive mental health services to Head Start Children to foster their social development and prevent emotional problems from arising at an early age.

The Basic Educational Skills Project develops curricula to help preschool children acquire the educational skills and positive learning attitudes that will help improve their performances and foster greater achievement in elementary school.

Project Developmental Continuity encourages Head Start programs and school administrators to work together to insure continuity in curricula, health care and parent involvement as children move from preschool to elementary school.

Home Start Training Centers assist Head Start centers in setting up developmental programs for children and parents in their own homes and train home visitors to work with these families.

The Child Development Associate Programs trains child care workers in Head Start and other programs to help them achieve professional status in the child care field and receive CDA credentials that are based on their ability to work with young children.[7]

Head Start has served as a model in encouraging parent involvement and training and in creating special programs to meet the needs of the individual children of many ethnic groups.

In 1965 the Federal Government asked a panel of child development experts to come up with a program to help overcome the handicaps of disadvantaged preschool children.

In a report for Project Head Start, Cooke, the chairman of the panel, wrote:

> There is considerable evidence that the early years of childhood are a most critical point in the poverty cycle. During these years, the creation of learning patterns, emotional development, and the formation of individual expectations and aspirations take place at a very rapid pace. For the child of poverty, there are clearly observable deficiencies in these processes, which lay the foundation for a pattern of failure, and thus a pattern of poverty, throughout the child's entire life.[8]

This report later became the blueprint for Project Head Start.

Head Start received strong support from the Federal Government when it was being launched. In 1977 the President later signed legislation for the extension of Project Head Start for three more years.

At present, Project Head Start is authorized by the Head Start Economic Opportunity and Community Partnership Act of 1974. (Public Law 93-644)

The Head Start Program is locally implemented by community-based organizations, community action agencies, other non-profit organizations, and public school systems.

Evaluation

This writer feels that the Head Start Project is one of the most humanistic, idealistic, realistic, and dedicated programs in existence today.

By humanistic, it is a project that is truly trying to reach the lives and minds of many small human beings between the ages of 3 and 8. These children are being given the opportunity to get a head start in life since they cannot change the low income environment into which they were born.

Idealistically, Project Head Start would like to be able to reach ALL "at risk" children throughout the nation, but realistically it is impossible at the moment because this project would need much more financial backing to reach ALL "at risk" children and their parents.

By dedication, it is meant that Project Head Start is very faithful to its initial purpose when it was originally launched. It has dedicated itself through its directors, teachers, parents, the community, public school systems, and all other individuals who directly or indirectly have had a hand in making Project Head Start work; and with the belief that ALL individuals, especially young "at risk" children, should have the same opportunity to advance in life as many of their counterparts in the higher income families who have not been educationally deprived. However, this is not to suggest that all children in higher income families have had a good educational background. This could be another project that may evolve in the future into educating the parents in "parenting" whether from low, middle, or high income families.

Project Head Start has involved the most important factor in the child's life, his/her parents. Every school system, private or public should take advantage of including parents in as many decisions that affect his/her child's life.

The writer feels that Project Head Start should work very closely with the school systems in its areas. It would help in producing a curriculum that would benefit the child in meeting his/her future needs in the public school system.

As far as educating parents in "parenting," Project Head Start is doing a beautiful job in offering this opportunity to all parents of children in the Head Start Program. However, many parents are not being reached. It would be to our society's advantage to continue educating parents in child growth and development. The public schools could offer parenting classes or have a few minutes during a parent-teacher meeting set aside for a few encouraging words for the parent in understanding his/her child in child development. The community could offer short, 30-second to one minute television or radio announcements on child growth and development. Businesses could sponsor a monthly 30 minute session on child growth and development for its employees who are parents. By having businesses and the schools working together, the outcome in the future may prove to be very beneficial for children who will be the future citizens of tomorrow. This does not mean to imply that businesses should dictate the role of the schools; only that the schools may be able to reach more working parents with a better understanding of their children's needs at school and at home. The session in child growth and development would lend itself other avenues as to the many ways a parent could help his/her child learn to be a better student at school and at home.

Conclusion

In a report dated March 9, 1977, "Report on Education Research," there was a small article on the early intervention of children's early years having a long term effect. Bernard Brow of HEW's Office of Child Development said longitudinal studies begun in the 1960's showed that children performed better in the following educational years than they would have if they had no experience in preschool education. New evidence shows that early childhood intervention programs can significantly raise I.Q. scores, vocabulary, math skills and general knowledge of educationally disadvantaged children throughout the child's education in the years to follow.

NOTES

[1] This is HHS, U.S. Department of Health and Human Services. HHS 391, May 1980.

[2] Ibid. p. 5.

[3] Ibid. p. 12.

[4] U.S. Department of Health and Human Services, Office of Human Development Services Administration of Children, Youth and Families. Serving America's Children and Families. DHHS Publication No. OHDS 79-30229, Issued April 1980, p. 1.

[5] Ibid. p. 2.

[6] Ibid. p. 4.

[7] Ibid. p. 5.

[8] Head Start--A Child Development Program. DHEW Publication No. OHD 77-31092, p. 1.

II. TITLE I OF THE ELEMENTARY AND SECONDARY EDUCATION ACT

TITLE I OF THE ELEMENTARY SECONDARY EDUCATION ACT: ITS UNIQUE FEATURES AND INNOVATIVE CHARACTERISTICS

by
Dolores Saldaña

The Elementary and Secondary Education Act (ESEA) of 1965 was designed to stimulate innovation, to strengthen the states, to link research with the schools, and to make the problems of the poor the nation's number one educational priority. The heart of ESEA was and is Title I. The purpose of Title I as stated in Public Law 89-10 is "to provide financial assistance to local educational agencies serving areas with concentrations of children from low income families to expand and improve their educational programs by various means which contribute particularly to meeting the special educational needs of educationally deprived children."

It has been amended six times since 1965 in order to meet the needs of "educationally deprived children" as well as to clarify and emphasize the numerous elements and provisions in the legislation. The following are the six amended forms of Title I: November 1965 - Public Law 89-313; November 1966 - Public Law 89-750; January 1968 - Public Law 90-247; April 1970 - Public Law 90-230; April 1974 - Public Law 93-380; and November 1978 - Public Law 94-561.[1]

Today Title I continues to provide educational aid to the "disadvantaged." In the school year 1978-1979 nearly five million children in over 14,000 school districts participated in Title I programs. The cost to the federal government was more than $2 billion.[2]

Statement of Purpose

The purposes of this paper will be, first, to examine the historical background and origins of Title I; second, to describe its unique features and innovative characteristics. Finally, it will discuss the impact of Title I as well as pitfalls which prevent the program from effectively reaching its main clients--the poor.

Ms. Saldaña has worked with the Fort Worth Independent School District since 1966 and has held positions of Title I resource teacher at All Saints Catholic School and reading teacher at Elder Middle School. Her baccalaureate degree is from Texas Woman's University and M.A. from Texas Christian University. In 1979, Dolores received the Fort Worth Council of Reading Award.

Historical Background

For most of American history, the view prevailed that education was primarily the function and responsibility of local authority. Although the state and federal governments did influence the course and direction of American education, local educational programs were financed and determined largely by local school systems.

Until the twentieth century, the federal government's main impact was through land grants for educational purposes. This role remained minimal because state and local governments feared "federal control" and the loss of their power.

In the nineteenth and early twentieth centuries, state influence increased as state legislatures began to establish minimum standards for school attendance and teacher certification, to require school consolidation, and to set standards for awarding school diplomas.[3]

The postwar years of World War II in the United States were marked by a series of demands upon the educational system that were unprecedented in scope and magnitude. These demands were to be influential in changing the traditional roles of government in education.[4]

The unanticipated postwar birth rate greatly increased the school enrollment and placed enormous strain on the need for educational staff and facilities. This increase in school enrollment continued for two decades following the end of World War II.[5]

The postwar era also brought about an intellectual and technological explosion. New technological inventions, breakthroughs in electronic communications, the heightened mobility of people and ideas, the unprecedented responsibilities of the cold war, and the vast research findings in the social and behavioral sciences--all combined to challenge the adequacy of the American educational system. Scholars and educational writers questioned whether students were being educated well enough and fast enough to adapt to and to manage the new challenges of a technological society. Sputnik dramatized the dilemmas and shortfalls of education. In 1958 President Dwight D. Eisenhower signed the National Defense Education Act into law--in order "to strengthen our American system of education so that it can meet the broad and increasing demands imposed upon it by considerations of basic natioanl security."[6]

Another major source of new demands on the educational system resulted from the Supreme Court decisions on the issue of school desegregation. This was highlighted by the civil rights movement during the late '50's.

During the mid-sixties, national interest was focused by media on the plight of the culturally and educationally deprived population that lived in the crowded urban areas and in dispersed rural slums. Disparities in income and in employment opportunities came to be viewed as a deterrent to national prosperity and a violation of the individual's right to the dignity of gainful employment.[7] High drop-out rates and juvenile delinquency compounded this problem. High incidence of unemployment and dependency correlated with low educational achievement. Interest groups such as civil rights groups, the National Education Association, and the National Catholic Welfare Council pressured the federal government for solutions to these problems. Government reformers felt the only way for the poor to be productive citizens was to increase educational and economic opportunities.

In 1964 the Economic Opportunity Act was passed which created a number of programs such as the Job Corps, the Neighborhood Youth Corps, and the Adult Basic Education. On April 11, 1965, the Elementary Secondary Education Act became law. It was passed during the administration of Lyndon B. Johnson. This Act was one of the devices planned to implement the "Great Society" domestic programs. It extended the president's "unconditional war" on poverty by providing quality education for the poor children.[8]

Legislators were confident that Title I (Public Law 89-10) of the Act would meet the special educational needs of disadvantaged children and it would reform the educational services available to the nation's poor.

Reformers expected that Title I would, in the short run, stimulate the development of special programs that would compensate for educational disadvantage, thereby equalizing the academic attainment of poor children and their advantaged peers.

In the long run, it was hoped that this compensatory strategy would "break the cycle of poverty and equalize opportunities."[9]

Unique Features

There are several features in Title I as amended by Public Law 95-561 which designate it as unique legislation. Such features include: (1) the categorical nature of Title I, (2) the distribution of administrative responsibilities, (3) the comparability concept, (4) the Title I services to nonpublic schools, and (5) the parental involvement provisions.[10]

Categorical Nature of Title I

By the intent of the law, Title I of ESEA is highly "categorical." It mainly serves "educationally deprived children" living in an attendance area with an above or average concentration of children from low-income homes. "Educationally deprived children" means (1) children who have need for special educational assistance in order that their level of educational attainment may be raised to that appropriate for children of their age, and (2) children who are handicapped.

In addition to the educationally deprived children, there are special categories of children who are also considered for Title I services. These special categories of children include: children in institutions for the neglected, delinquent or migrant children, Indian children, and children attending nonpublic schools.[11]

Administration

The successful implementation of Title I depends heavily on the administrative distribution of power and responsibilities among federal, state, and local educational agencies.

Initiative as to program content and character is left with the states and local school districts. The local education agencies are required: (1) to identify areas to be served and to design projects that apply available resources to meet identified needs; and (2) to maintain parent involvement and serve qualified private school students. In addition, local schools are required to submit to their state education agency: (1) an application form describing the nature of their proposed project, how it was developed, and the number of students to be served; (2) a fiscal report on the funds expended and students served; and (3) an evaluation report indicating how participants benefitted from these services. (Refer to Table 1)

The state education agency must provide assurances to the United States Office of Education (now the Department of Education) that their program will be administered in accordance with the law and the regulations. The law also requires that the state education agency submit annual fiscal and evaluation reports to the United States Office of Education. In addition, the state education agency must: (1) review and approve or disaprove the project proposed by each local school district, (2) provide technical assistance to the local school districts, and (3) periodically monitor their practices.

The United States Office of Education is responsible for the disbursement of funds. This federal education agency must: (1) develop and disseminate regulations, guidelines, and other materials related to the administration of Title I; and periodically monitor their practices; (3) compile fiscal, program scope and evaluation data; (4) evaluate the results and effectiveness of the program; and (5) report annually to Congress on the accomplishments of the program.[12]

Comparability

Another feature of Title I is comparability. The first regulations issued stated that Title I funds were to supplement

TABLE 1.

ADMINISTRATION OF TITLE I

USOE's Title I Responsibilities

1. Develop and disseminate regulations and guidelines related to administration of Title I
2. Provide technical assistance to SEA
3. Compile fiscal, program scope and evaluation data
4. Evaluate the results and program effectiveness
5. Report annually to the Congress on the accomplishments of the program

SEA's Title I Responsibilities

1. Must provide assurances to U. S. Office of Education that the programs will follow regulations
2. Submit fiscal and evaluation reports
3. Review and approve or disapprove the project proposed by each LEA
4. Provide technical assistance
5. Periodically monitor their practices

LEA's Title I Responsibilities

1. Identify areas to be served
2. Design projects to be used to meet needs
3. Maintain parent involvement
4. Serve private school students
5. Submit annually to SEA: an application form describing project, fiscal report, evaluation reports

and not supplant state and local funds providing education to disadvantaged children. In 1970 in order to assure equalizing services, Congress made comparability part of Title I in Public Law 91-230. According to this law, comparability means that Title I schools must receive as many services (though they need not be the same) from state and local funds as in non-Title I schools. Therefore, federal funds are to be used to supply extra help to Title I schools and not to substitute for basic funds from the state and local educational agencies. In order to meet the comparability requirements, a Title I school must have equal or lower instructional staff student ratios and equal or higher per pupil expenditures than the average non-Title I school serving the same grade level.[13] (Refer to Figure 1.)

Title I Services to Nonpublic Schools

From the inception of Title I, the educationally disadvantaged students attending nonpublic schools have been allowed to participate in Title I programs. The requirements for nonpublic children are the same as for public children: (1) they must be educationally deprived, (2) they must live in Title I target area.

Title I funds may not go directly to any nonpublic school. School districts must include eligible nonpublic school children in their Title I program application. Federal regulations for Title I require that all eligible children in public or nonpublic schools receive comparable services. There are several means by which Title I services may be delivered to nonpublic school children: (1) Dual enrollment, a method by which nonpublic school children can go to public schools to participate in special projects; (2) Sharing services, a method in which a public school may share Title I staff and equipment with eligible children in a nonpublic school; (3) Mobile service, a method by which a school district may use a mobile unit equipped to take special materials and personnel to provide Title I services to public and nonpublic school children.[14]

Parental Involvement

Parental involvement is an important key to the successful achievement of equal educational opportunity for disadvantaged children. Parental interest and participation in the Title I program increase the accountability of school authorities for the success of the program.

Parents can participate in different capacities as: (1) learners, (2) participants in school activities, (3) volunteers in the classroom, and (4) members of parents advisory councils (PACs).

As learners, parents can learn to be effective home tutors for their children. There are different types of

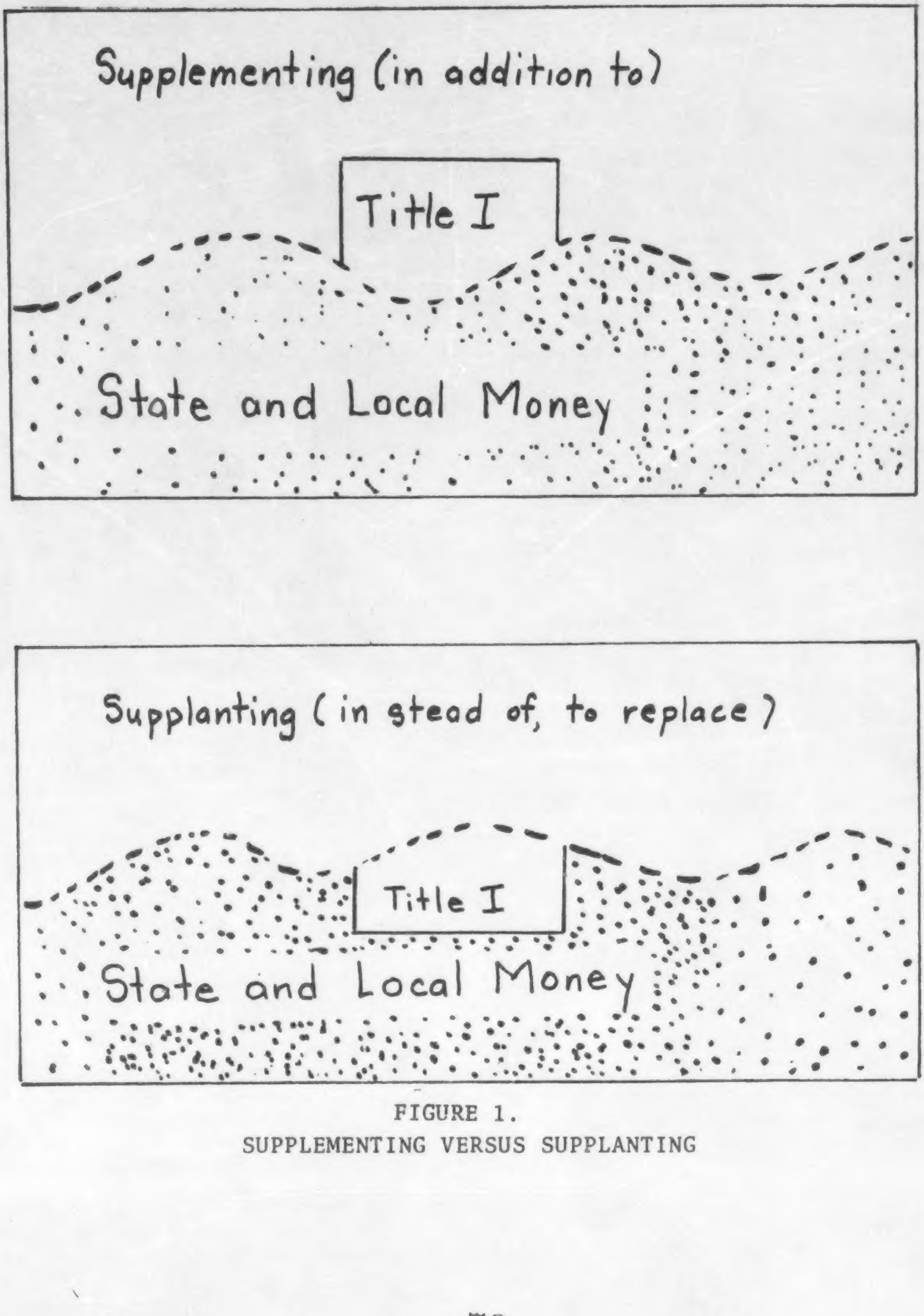
Supplementing (in addition to)
Title I
State and Local Money
Supplanting (in stead of, to replace)
Title I
State and Local Money

FIGURE 1.
SUPPLEMENTING VERSUS SUPPLANTING

school activities which parents can participate in such as: assisting in the library, helping to manage field trips, and helping with clerical tasks. As school volunteers, parents can: tutor a small group or individual children, read to children, and assist children in learning centers.[15]

Each local education agency must set up parent advisory councils (PACs) on both a district and a school level. Members are elected by parents who live in the school district or project area. The majority of the members of a parent advisory council must be parents of children participating in Title I programs. As members of PACs, parents will advise the school district in the planning, operation, and evaluation of the Title I program.

Innovative Characteristics

Title I is innovative legislation which allows school districts great flexibility in providing services to the educationally deprived. Some ways in which Title I funds can be used to meet the special educational needs of these children are: (1) remedial instruction in reading and mathematics at any or all grade levels through grade 12, to upgrade these skills in youth who are performing below grade level; (2) hiring of special reading teachers; (3) more individualized instruction through the employment of additional teachers and teacher aides; (4) special summer programs geared to provide cultural enrichment and/or to reinforce and re-emphasize material covered during the regular school term; and (5) in-service training for teachers and teacher aides.

Career guidance for potential drop-outs, teaching equipment, educational television and specialized staff for social work, and guidance and counseling can also be supported by Title I funds. In fact, almost any imaginative approach to solving the problems of educational deprivation can be funded under Title I programs.[16]

In addition to instructional related services, Title I may also fund such supportive services as medical and dental treatment, clothing, and transportation.

Since Title I is basically an educational program, it has two conditions which must be met before supportive services can be paid for with Title I money: (1) the services are not available from any other source; (2) the services are an important part of Title I educational program.[17]

Availability of Title I funds have also encouraged local school districts to design a multitude of innovative programs. Some of the exemplary programs employ a variety of teaching materials and resources. Title I teachers are encouraged to select materials and techniques which are the most effective in their classrooms.[18]

Impact and Pitfalls

Examination of research disclosed that the impact of Title I has been both positive and negative. Many supporters of Title I (parents and educators) indicate that children in the programs have improved their reading and math skills. Title I programs also have exposed children to a wider range of experience than was previously available.

However, research studies conducted by Robert Rossi concluded that there was little evidence at the national level that the programs had any positive impact on Title I students.[19] The Stanford Research Institute in 1976 showed that although there were small gains in reading achievement, these gains would not be retained during summer vacations.[20]

It is difficult to judge the effectiveness of Title I on a national level because there are so many diverse programs, and there are no uniformly accepted criteria for determining what constitutes a successful program. Reading achievement can only be used to judge programs where districts and states have chosen to focus Title I funds on reading. Studies have not measured the effects of supportive services provided by Title I. Studies have also failed to measure the special effects of each local program in terms of increased parent involvement, improved school attendance, and curriculum based achievement.[21]

Title I has several pitfalls which hinder the delivery of services to the disadvantaged. Many local education agencies use Title I funds to supplement inadequate local school budgets and tend to use funds as a general education aid for all children. States fail to implement Title I in full compliance with federal regulations. In 1978 the percentage of waste, fraud, and abuse of programs was cited as 4.6%.[22] In order to remedy these problems, it will be necessary for federal and state agencies to expand Title I program monitoring efforts and to enforce the sanctions on local education agencies which fail to meet Title I requirements.

Summary

Although research studies have not adequately measured the effectiveness of Title I, proponents for the program, which includes parents and educators, feel that it is helping students to improve their reading and math skills. Teachers note that students also develop more positive self concepts.

Since the nation's poor and their educational needs continues to be an unsolved problem, Congress recognizes that Title I can be instrumental in helping educationally disadvantaged children, and it can help increase the functional literacy of this nation.

NOTES

[1] Faustine C. Jones, "Title I Program--Ten Years Later," Journal of Negro Education 44 (Fall 1975), p. 441.

[2] U. S. Department of Health, Education and Welfare, Title I: Elementary and Secondary Education Act (Washington, D.C.: Government Printing Office, 1979), p. 1.

[3] Stephen K. Bailey and Edith K. Mosher, ESEA: The Office of Education Administers a Law (Syracuse: Syracuse University Press, 1968), p. 2.

[4] Ibid., p. 4.

[5] Philip Moranto, The Politics of Federal Aid to Education in 1965: A Study of Political Innovation (Syracuse: Syracuse University Press, 1967), p. 14.

[6] Ibid., p. 13.

[7] Bailey and Mosher, ESEA:, p. 8.

[8] Jerome T. Murphy, "Title I of ESEA: The Politics of Implementing Federal Education Reform," Harvard Educational Review 41 (February 1970), p. 39.

[9] Milbrey McLaughlin, "Implementation of ESEA Title I: A Problem of Compliance," Teacher College Record 77 (February 1976), p. 397.

[10] Interview with Tommy Harris, Department of Health, Education and Welfare, Dallas, Texas, July 29, 1980.

[11] U. S. Department of Health, Education and Welfare, Title I ESEA: How It Works (Washington, D.C.: Government Printing Office, 1978), p. 12.

[12] U. S. Department of Health, Education and Welfare, Annual Evaluation Report on Programs Administered by U. S. Office of Education, for the Fiscal Year 1977 (Washington, D.C.: Office of Planning, Budgeting, and Evaluation), p. 73.

[13] U. S. Department of Health, Education and Welfare, Title I:, p. 10.

[14] U. S. Department of Health, Education and Welfare, Title I ESEA: How It Works (1978), pp. 14-15.

[15] Mary K. Nebgen, "Parent Involvement in Title I Programs, Educational Forum 43 (January 1979), pp. 166-167.

[16] Jones, "Title I Program," pp. 441-442.

[17] Harris, Interview, July 29, 1980.

[18] Interview with Dana Henderson, J. P. Elder Middle School, Fort Worth, Texas, July 30, 1980.

[19] Karen Hill Scott and J. Eugene Grigsby, "Some Policy Recommendations for Compensatory Education," Phi Delta Kappan 60 (February 1979), p. 444.

[20] Lawyers Committee for Civil Rights Under Law, The Federal Education Project Newsletter (February 1976), p. 1.

[21] National Advisory Council on the Education of Disadvantaged Children, Annual Report to the President and the Congress 1973 (Washington, D.C.), p. 52.

[22] Thomas K. Minter, "Memorandum to Chief State School Officers," September 15, 1978.

GENERAL OVERVIEW OF TITLE I AND ITS IMPLEMENTATION

by
Guillerma Morales

The passage of the 1965 Elementary and Secondary Education Act caused much excitement throughout the country among educators and welfare reformers alike, for the act held something for every segment of society. The poor, the rich, public and private schools, elementary and secondary, as well as higher educational institutions were all named as recipients of assistance. President Lyndon B. Johnson carefully gathered ideas from varied sources and used his political power and skill in winning passage by Congress in 89 days. The birth of ESEA can be traced to Sputnik and to the euphoria of the Great Society of President Johnson. The general belief at this time was that money could make the difference in the welfare of our country as well as in education. President Johnson in signing this act reiterated this general feeling:

> By this Act we bridge the gap between helplessness and hope for more than five million educationally deprived children. As a son of a tenant farmer, I know that education is the only valid passport from poverty. As a former teacher--and I hope a future one--I have great expectations of what this law will mean for our young people.[1]

Title I is the largest financial component of ESEA and the one surrounded by the most political controversy and feedback. The original purposes of Title I were to expand and improve educational programs to meet the needs of educationally disadvantaged children in low-income areas. Title I was expected to stimulate the development of special programs that would compensate educationally disadvantaged children, thereby equalizing the academic attainment of poor children with their more advantaged peers. It was also

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hoped that Title I would break the cycle of poverty. In short, ESEA was passed under the guise of helping disadvantaged children. Another motive was to break the historical opposition to federal aid to education. It was successfully passed because so many different segments of society had something to gain from its passage.

Because few educational bills had been passed, the creators of ESEA Title I were directed to devise a politically viable bill which would overcome the traditional barriers of federal aid to education by including: aid to parochial schools, desegregation, and equalized distribution of funds among and within states.

A fourth (and unofficial) objective was to innovate the American educational system. This need for innovation was repeatedly mentioned at hearings on ESEA, as many people viewed--as they still do today--our national welfare as directly related to our educational welfare.[2] Sputnik was still not forgotten.

Title I had two other major objectives. The writers of Title I wanted to strengthen federal-state relations by strengthening state education agencies (SEAs) and they also wanted to speed up school desegregation. The strengthening of SEAs was accomplished by giving them one percent of the Title I budget for administrative duties. In addition, the SEAs were allowed to oversee local programs. Therefore, there was a compromise between those wishing to regain state control and those wanting federal aid to education.

Another objective of Title I writers was to provide health, clothing, and food for Title I target children. The rationale was that it was impossible for children to learn if they did not have adequate health, nutrition, or clothing.[3]

By having all these objectives written into a single categorical aid bill, passage was assured. Consequently, many viewed the overall goals of Title I as political maneuvering and written in such a way as to satisfy many different groups rather than as an educational act to meet the educational need of disadvantaged children.

Respective Roles and Responsibilities

Congress gave responsibility for Title I to the Office of Education (USOE), the state education agencies (SEAs), and to local education agencies (LEAs). The responsibilities are as follows:

In general the Office of Education develops and disseminates regulations, guidelines, and other materials regarding the administration of Title I projects. The USOE also provides technical assistance to the SEAs and assesses the progress under Title I throughout the nation. USOE reports annually to the Congress on the accomplishments of the program.

State education agencies (SEAs) approve proposed local projects in accordance with federal regulations and guidelines as well as provide technical assistance to local educational agencies in the development of projects. The SEAs are also responsible for submitting annual state evaluation reports to the Office of Education. SEAs review and approve or disapprove the project proposed by each LEA in its annual application to the state education agency. In addition, state agencies monitor LEAs periodically. Title I funds to SEAs are used to carry out these responsibilities. Additional funds are alloted through Title V for building the general capacity of state agencies in improving educational planning, research, and the staff's competency. Title I empowers state agency officials to make program and methodological decisions. In essence, SEAs have more control over federal funds than over money raised within the states.

As was stated before, the 1965 enactment of ESEA was the culmination of the success of the many groups that had worked for federal aid for education. The basis for the Great Society was education and education became a focus of political conflict. Education also became an object of the Great Society's focus; therefore, the administration became increasingly involved in improving the quality and the methodology of education. Major emphasis of the new federal programs was given to the urban problems of poverty, civil rights, and vocational education. Harold Howe II, then U.S. Commissioner of Education, stated that the commitment of education had become a matter of highest priority because many of the national goals were dependent on it, and the expanding role of the federal government in education still reflects this concern.[4]

This commitment to education, however, often conflicted with the states' cultural traditions and values such as integration of schools, equal opportunity for minorities and women, and other urban oriented policies. This conflict and the resistance to change by the various groups was--and continues to be--evidenced by the resistence to programs such as Title I.

Since its beginning, Title I has met resistance. This resistance was intensified by evaluations and studies which followed. Evaluations and studies came primarily from three sources: The Office of Education, the National Advisory Council on the Education of Disadvantaged Children (NACEDC), and the National Institute of Education (NIE).

The Office of Education was required to report annually to the President and Congress on its assessment of Title I throughout the country. Without exception, these national studies have been unable to identify how participation in Title I programs or the expenditure of Title I funds have significantly affected target children.[5]

The NACEDC was established by Title I, Section 148 in the original ESEA act. The duties of NACEDC are to review and evaluate the administration and operation of Title I, including its effectiveness in improving the educational attainment of educationally deprived children, also including the effectiveness of programs to meet their needs. The Council makes annual reports of its activities, findings, and recommendations to the President and the Congress. In its 1973 annual report, the NACEDC reported the following:

> Educational traditionalists still find its difficult to spend more on the socioeconomically disadvantaged than on the middle and upper income families. In this case, tradition is stifling the legislated goal. And, because of this philosophical difference, a misuse of compensatory education funds as general aid has often occurred. There has also been a growth of legislative proposals for huge amounts of general aid, predicated upon the fiscal plight of localities and on equalization needs.
>
> The NACEDC recommends against general aid provisions of Federal funds to the schools, at this time and with currently available resources. Compensatory education is a documented, proven need, and it should hold Federal priority over general Federal aid to education.[6]

The National Institute of Education (NIE) was also created in the ESEA 1972 amendments. By the time it was created, the national mood had changed to one of disenchantment with programs which were not productive. Furthermore, budget cutbacks were being made because of the Vietnam War and other national problems. NIE's purpose was to evaluate programs and to undertake the systematic search of the factors that affect what children learn.

Each of the above three (OE, NACEDC, and NIE) had a different purpose for its evaluations and studies and each was influenced by its purpose. Results of the evaluations and studies were interpreted differently by different people. Many took this to mean that James Coleman was right, that money doesn't make a difference in learning. Others saw it as a half-hearted effort to change the American educational system, as if anyone knew what was wrong. There was a lot of confidence that educators know what to do without any real direction by OE or NIE, or for that matter, by the state education agency. Many believed that only the local districts knew what was right for their district. Others contended that a program seeking broad social change should not be evaluated mainly in terms of pupil achievement. USOE was split between those who saw Title I as a poverty program and those who saw it as an educational program. Because of the dominance of the latter, the Office of Education was slow in pushing regulations requiring funds to be spent on the poor and in effect allowed districts to spend Title I funds as if they were general aid.[7] It is understandable that perhaps the reason evaluations and studies done on Title I were generally inconclusive, is that Title I programs as they were evaluated never actually existed. There is considerable evidence to support this, as in June 1971, 37 states were known to be in non-compliance with the Title I regulations, guidelines and program criteria.[8]

To be in compliance means that a program is being implemented properly. There are four factors which are assumed to promote compliance. First, it is assumed that the federal government, the SEA and the LEA share and understand the general goals of Title I. Second, an SEA and an LEA must be knowledgeable about Title I. Third, there are incentives or penalties contingent upon carrying out the prescribed activities. Fourth, compliance is effected by some enforcement authority. These four factors are interrelated but all four must exist in order to be in compliance.

Under the common goals factor, it was assumed by all (the framers of Title I, USOE, the SEAs and the LEAs) that they all shared a common concern as set forth in the objectives of Title I, "meeting the special educational needs of educationally deprived children." (LP85-10, Sec. 101). The federal government's goal was not only to meet those needs but to equalize education, to further desegregation in the South, and to reform the educational system so as to insure our national welfare. In addition, it was hoped to improve the SEAs.

The SEAs' goals differed in that they saw Title I monies as helping districts meet the needs of disadvantaged children in the best local manner possible. Two good examples of SEA goals are those of Texas and California. The Texas Education Agency left such matters for local determination. California, however, was more concerned in meeting the needs of deprived children and was more demanding than other states.[9]

While SEAs received funds to review LEAs, many SEAs were understaffed and were unable to get adequate staff personnel as those positions were contingent upon receiving federal grants. At present in Texas, there are approximately 21 staff members to assist and review some 1,050 school districts, of which 90% receive Title I funds.[10]

For the most part SEAs were reluctant to disturb LEAs because they also believed that Title I funds were a form of general aid. SEAs also felt that the vagueness of the Title I regulations allowed for wide latitude in program implementation at the local level.

The second factor is being knowledgeable about innovations in education and ESEA goals. When ESEA Title I was written, it was widely believed and accepted that the infusion of money into the concentration areas would improve and meet the needs of disadvantaged children. It was believed that educators know what to do--they only need money. At the time Title I was passed, there were no compensatory education programs. Until the 60s, little emphasis had been placed on educating the disadvantaged child. SEAs and LEAs, therefore, continued their traditional approach.

To be knowledgeable also meant knowing the rules of the Title I game. There were inconsistencies within locals, states and even within the Office of Education. Much of this was not based on ignorance but rather on individual state values.

California, for instance, implemented its Title I programs very stringently and had used most of the 1968 USOE criteria even before Washington, D.C. was convinced it needed to make changes. Throughout the state, local districts met resistance on all political fronts when they objected to rigid and extensive project approval mandated.[11]

> In California...a powerful coalition was formed to implement federal guidelines. The state legislature did not intercede on program or project decisions after establishing an implementation structure "independent of the traditional state administrator." The SED staff even sent out their own state Title I guidelines, contending that "the Federal guidelines were too vague and confusing." The state's more explicit guidelines contained more criteria for local project approval than those sent by Commissioner Howe in March, 1968.[12]

In contrast, Texas was very lacking in this state-federal cooperation. Implementation of federal regulations and guidelines has been slower to reflect Washington's desires although the state agency received over 69 percent of its total 1970 administrative budget from federal sources. "(It) has been no more than a reluctant partner in the Title I program."[13]

The Texas Education Agency is independent from state political forces and it leans by tradition toward local control of education reflecting the general mood of Texas toward federal aid.

The following is a Texas Title I staff member's opinion regarding TEA's administrative policy:

> Our job is not to make decisions concerning how effective a particular component is; this is a local decision. Our job is to see if the program meets the federal requirements. If a school district's Title I program does meet the legal requirements, then we have an obligation to fund the program. We do not feel that we are in any position to dictate particular methodologies to schools. The state department might encourage local school districts to choose one of the USOE recommended "best practices," but local agencies should be allowed to do something else, if they can justify that something else.[14]

As may be seen from the above, California was explicit in following regulations and Texas was lax. Lax attitudes left voids which had to be faced by LEAs in planning effective strategies and implementing Title I programs.

State education agencies have had a difficult role in the administration of local federal programs. They do not originate the program objectives or the regulations, yet they are required to implement and enforce them. SEAs do not have the responsibility for planning or developing local programs, yet they are frequently held responsible for their quality.[15]

The initial haste in starting Title I programs tended to create mass confusion because during its first year of operations, USOE was writing regulations and allocating funds. This caused delays in planning and program development at the local level until the school year was almost half gone. Local administrators were pushed into starting Title I programs even though they were inadequately prepared to do so with any great deal of knowledge.[16] SEAs were in no better position to provide any expertise in program design and implementation.

The third and fourth factors, incentives and authority, are dependent upon one another. The major incentive in Title I is money and it is contingent upon local compliance with Title I's rules and guidelines. Obtaining this money and keeping it are contingent upon compliance with the regulations and guidelines of Title I as well as the program objectives. The authority was never really understood until the last few years. At first, USOE was too busy to exercise any review of any program. For the first three years, USOE Title I staff lacked travel funds to make program reviews. During this time, programs were reviewed through reports supplied by the SEAs or audits made by HEW and GAO (General Accounting Office). Evaluations were also made by the NACEDC. While USOE grew tremendously with the passage of ESEA, its size did not quite match the job to be done.[17]

In essence, what happened is that the Office of Education was too busy, the SEAs could not or would not oversee LEAs, and, therefore, LEAs were left to do their own thing. There were no incentives to be in compliance and no one in authority to oversee compliance. Consequently, Title I funds were given to those very districts which had historically proved to be least effective in teaching the disadvantaged child. Consequently, Title I funds were used by many districts as a general aid program and very little was done for the very children for which the program was designed.

Summary

The LEAs were left all alone with little motivation or expertise from the federal and state to initiate good programs. The burden of Title I, plus unassured funding, and the general lack of enforcement, reinforced the disinclination of school districts to implement new and innovative strategies. Usually everybody is willing to attempt something new if there is an element of success, but school administrators were unwilling to attempt the unknown. In addition, there are no incentives to attempt innovations in meeting the needs of the educationally disadvantaged child.

Largely because of the fact that Title I programs have generally defied significant evaluation by traditional methods, a trend can be seen toward loosening criteria for participation in these programs, resulting in a "general aid" type of program.

NOTES

[1] Tiedt, 1966, p. 192.

[2] Ibid., pp. 35-36.

[3] Wirt, 1972, p. 167.

[4] Thompson, 1976, p. 160.

[5] Wirt, 1972, p. 157.

[6] National Advisory Council on the Education of Disadvantaged Children, 1973, p. 10.

[7] Thompson, 1976, pp. 208-209.

[8] McLaughlin, 1974, p. 4.

[9] Wirt, 1972, p. 160.

[10] Harris, 1980 Interview.

[11] Wirt, 1972, p. 160.

[12] Ibid.

[13] Ibid., p. 161.

[14] Ibid., p. 162.

[15] Fuller, 1971, p. 35.

[16] Ibid., p. 36.

[17] Thompson, 1976, p. 190.

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TITLE I - PROGRAM DESCRIPTION AND ADMINISTRATIVE IMPLICATIONS

by
Eunice López

Historical Background

History indicates that the national government has been interested and involved in the educational functions of the states even before the Constitution was approved. Under the Articles of Confederation, Congress passed the Survey Ordinance of 1785, which stated that there "shall be reserved the lot number 16 of every township for the maintenance of public schools in each township." Two years later the Northwest Ordinance of 1787 repeated this provision, declaring "Religion, morality and knowledge, being necessary to good government and the happiness of mankind, schools and the means of education shall be forever encouraged."[1]

The Morrill Act of 1862, established land grant colleges for specific educational purposes. In 1971, the Smith-Hughes Act provided matching funds for vocational education in agriculture, the trades and industry and the homemaking arts. The Smith-Hughes Act was also the first grant for which the states had to commit their own funds. This act, with its several amendments, stands as the longest continuous federal grant to states for educational purposes.

Many educationally related federal programs grew out of the impact of the depression in the 1930s. Among them was the Federal Surplus Commodities Corporation of 1935. This led to the National School Lunch Act of 1946.

World War II brought about problems which necessitated emergency legislation. The Lanham Act of 1941 provided financial assistance to school districts in areas where federal activities such as military bases created a financial burden. In 1950 Public Laws 815 and 874 extended this aid and made the Impacted Areas Program a continuing federal commitment.[2]

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The federal government has significantly increased its financial commitment to education in the last two decades. With the increase of federal funds has come the increase of federally regulated education. The basic character of the typical federal assistance program has changed from helping state or local governments accomplish their objectives to using state governments as administrators of specific federal objectives.[3]

At the present time the federal government provides financial support to practically every school district in the nation. The largest percentage of federal aid to schools has been channeled through the State Education Agencies (SEA). For most SEAs the bulk of staff increases in the past two decades has been due to the availability of federal resources.[4]

The Elementary and Secondary Education Act of 1965 (Public Law 89-10) is the largest federaly funded program for elementary and secondary schools. It focuses primarily on meeting the needs of educationally disadvantaged students, which means those who are disadvantaged economically, by reason of prejudicial treatment in earlier portions of their history, because of the inability to speak English and also those who are physically handicapped. The largest provision of this act is Title I. The 1978 appropriation of almost $3 billion went to provide educational programs geared particularly to the needs of children who come from low-income families.[5]

The first draft of the Elementary and Secondary Education Act of 1965 was formulated during the 89th Congress. It was signed into law by President Lyndon B. Johnson on April 11, 1965. The purpose of the legislation was to meet a national problem of basic educational deficiencies. These deficiencies were evident in draft rejection rates, employment and manpower retraining problems, in the unemployment rate and the dropout rate of children from low income families.[6]

It was proposed by the testifying legislators that the solution to these problems lay in the ability of the local elementary and secondary school systems to provide full opportunity for a high quality program of instruction in the basic educational skills. A strong correlation seemed to exist between educational under-achievement and poverty. Also elementary and secondary school systems with a high concentration of poor children were less able to provide the personnel and techniques needed to solve these problems.[7]

Evidence presented to the Congressional committee pointed out that school districts with the highest percentages of pupils qualifying for science awards, national scholarships, and college entrance tend to be found in high-income levels and drop-out rates followed an inverse ratio with income levels.[8]

The funding of Title I was supported almost unanimously as an instrument to be used in the eradication of poverty and its effects. The funding was also to provide full educational opportunity to every child deprived in some way regardless of economic background.

Civil rights groups have recently made recommendations to include handicapped children and those with limited ability to speak English in the services given with Title I funds.

Operation of Programs and Amendments

Allotments to school districts are determined on the basis of the following formula:

$\frac{a}{2}$ multiplied by = Number of dollars, payable to local school district.

a = average expenditures per pupil in the State.
b = number of children age 5 to 17 coming from families with annual incomes of less than $2,000 and number of children aged 5 to 17 from families whose incomes from aid to families with dependent children are $2,000 or more.[9]

Funds provided school districts under the title may be used for hiring additional and special staff, construction of facilities, acquisition of equipment and for all appropriate costs incident to the conduct of a public school program in order to accomplish the objectives of the title. They must be used only to supplement, not supplant local and state obligations. Specific types of programs or projects are not prescribed; these matters are left to the discretion and judgment of the local public educational agencies. Local public school districts are to meet the special educational needs of elementary and secondary school pupils enrolled in nonpublic schools through supplementary, educational services authorized by title I such as broadened health services, school breakfasts for poor children, and guidance and counseling services.[10]

Basically the provisions in the statute as it was enacted in 1965 still exist; however, amendments have brought about some changes. The Education laws of 1978 proposed to remedy problems and improve the administration and implementation of funded programs.[11]

One of the most important amendments to Title I in 1978 pertained to the concentration fund. This amendment directs monies to counties rather than to school districts. A separate, $400 million per year authorization is set up by this amendment and counties with more than 5,000--or 20% poor students are eligible. Because of a successful motion on the Senate floor to separate the concentration fund and make it a district item in the Title I appropriation, the appropriations committees may or may not fund the concentration provision.[12]

Millions of dollars more in Title I aid will be given to the big cities by a change that was made in the regular Title I formula. All children in families receiving Aid to Families with Dependent Children (AFDC) are to be counted in the formula. Before, AFDC money was counted as part of a family's income and many were pushed above the poverty line. In 1974, Congress said local Title I projects could count only two-thirds of the AFCD children who came from families with adjusted incomes above the poverty line. This resulted in the largest school districts getting $23 million less in Title I funds.[13]

Changes in application requirements have also been made. Local education agencies must file an application with the state only every three years rather than annually. The state now submits only one basic application to United States Department of Education containing all the standard assurances that its Title I program will be operated according to the law. Evaluation reports will also be required every three years.[14]

Another significant change is to allow schoolwide projects in the poorest schools. The new law says any school with 75% or more poor children may run a schoolwide Title I program for compensatory education. To do this a school must do a comprehensive needs assessment of its students, design an instructional plan to meet those needs and get the plan approved by teachers, parents, the school district office and the state.

Under the new amendment the states will have more responsibility for monitoring and enforcing the Title I law. A state's three-year plan submitted to USOE must include a schedule of visits to school districts, a descirption of procedures for monitoring local compliance, procedures for resolving complaints and the means of ensuring services to students in private schools.

Other Minor Changes to Title I

1. Noninstructional duties may be assigned to Title I teachers as long as they do not take more than 10% of their time.
2. Summer school programs and secondary level programs are encouraged to sustain the achievement gains made by students during the school year.
3. Teachers, school boards and parents must be consulted in planning Title I projects. Parents must be informed about their child's educational program and kept abreast of the progress made.
4. The Local Title I Parent Advisory Council must be elected by parents and must have a majority of members whose children are Title I participants.
5. Funds may be used for construction of school facilities.

6. Basic skill instruction will be stressed and school officials are urged to turn to other programs to pay for health care and food.[15]

Basic Considerations for the School Administrator

In order to comply with the rules and regulations set out for Title I programs by the legislation, and more important, in order to alleviate the national problem of basic educational deficiencies the school administrator must utilize in his role as supervisor a number of administrative skills.

First the administrator will need to thoroughly understand the involvement of the federal government in the funding of the program. He must stay informed of regulations and changes made.

Objectives will then need to be developed and established which will be committed to the highest quality program possible. It will be essential for the administrator to organize and administer resources efficiently and effectively so that the objectives can be successfully achieved. Title I projects must be organized in a way that ensures that the program is supplementing, not supplanting, the children's basic education. The administrator's objectives and organization must reflect this important federal mandate.

The need to coordinate the foundation program and the Title I program is particularly evident because personnel with different specializations, tasks, resources and time must function smoothly if the activities and the program objectives are to be carried out productively.

No administrator can effectively perform all the various administrative functions and tasks within a school. Therefore, some duties must be delegated. Under Title I provisions additional staff can be hired in order to accomplish the objectives of the program. In delegating a task or responsibility the administrator should define in considerable detail the nature and scope of the responsibility being assigned, the degree of authority that the individual should be given over others, the extent to which there are supervisor responsibilities associated with the assignment, and the people with whom the individual should communicate in carrying out the assignment.

The skill of communication is probably the most important process the administrator must engage in his role as leader. In order to persuade, instruct, direct, request, stimulate, or develop understanding, the administrator must communicate. His success in reaching the objectives and productively carrying out the functions of the foundation program and the intent of the Title I program will be greatly determined by the extent to which he is an effective communicatior.

Legislators, federal and state program directors, superintendents and school board members, but most important, disadvantaged children and their parents are hopeful that the millions of dollars being spent in Title I programs are administered efficiently and effectively. The role of the administrator then is to facilitate the implementation of programs in his building so that they can have a positive impact on every child.

NOTES

[1] Mike M. Milstein, Impact and Response: Federal Aid and State Education Agencies (New York, Teachers College Press, 1976), p. 8.

[2] Ibid, p. 10.

[3] Ibid.

[4] Ibid.

[5] Educational Record, Shirley Hufstedler, The First Secretary of Education, vol. #V, No. , (Spring 1980), p. 6.

[6] Elementary and Secondary Education Act of 1965: H.R. 2362 89th Congress, 1st Session Public Law 89-10: Reports, Bill,s Debate, and act.

[7] Ibid, p. 1-2.

[8] ibid, p. 2-3.

[9] Interview with Tommy Harris, Compensatory Education Director, Region VI Department of Education, Dallas, Texas, June 23, 1980.

[10] Ibid.

[11] Ibid.

[12] Ibid.

[13] Ibid, p. 15.

[14] Savage, p. 12.

[15] Ibid, p. 27.

TITLE I MIGRANT EDUCATION PROGRAM

by
Beatrice Padrón

Introduction

Since the migrant child comes from such a mobil background, he has attended many different schools. The migrant child enters school late, has a poor attendance record, is an under-achiever and drops out of school early.

The difficulties that a migrant child faces are overpowering. "Migrant children seem to be more affected than other students by weaknesses in the essential elements of teacher quality, curricula offerings, and physical plant facilities."[1]

Legislative History

Title I, the Elementary and Secondary Education Act (ESEA) of Public Law 89-10 authorized in 1965, is a federal education program to "meet the special educational needs of educationally deprived children."[2] There were two requirements associated with it. First, the child must be educationally deprived (below grade level) and; second, the child must live in an area served by a Title I school.

Migrant Education is an amended Title I program. In November 1966, Public Law 89-750 (section 103) authorized through grants, "payment to state educational agencies for assistance in educating migratory children of migratory agricultural workers."[3]

Of significance to migrant education statute are the Title I amendments which include:

The Educational Amendments of 1967 (P.L. 90-247)
The Educational Amendments of 1969 (P.L. 91-230)
The Educational Amendments of 1972 (P.L. 92-318)
The Educational Amendments of 1974 (P.L. 93-380).

Ms. Padrón began her educational career as a teacher's aide with the Fort Worth Schools Bilingual Program. She later enrolled in the Teacher Intern Program (TIP) at Texas Wesleyan College. She received her baccalaureate degree from TWC in 1976 and subsequently accepted a third grade teaching assignment with the Fort Worth Bilingual Program.

These laws were concerned with program components dealing with:

1. the eligibility of formerly migratory children,
2. the reallocation of excess funds,
3. the use of carryover funds
4. the dissemination of information,
5. parental involvement,
6. a prohibition against supplanting State and local funds,
7. pre-school services,
8. the use of statistics from Migrant Student Transfer Service for funding purposes,
9. the eligibility of migratory children of migratory fishers, and
10. the identification and dissemination of information concerning innovative and successful projects.[4]

Most recently, the Education Amendments of 1978 (Public Law 95-561) extend funds for local education agencies with concentrations of low-income families through 1983. They also "entitle each state educational agency to receive funds to establish or improve education programs for children of migrant agricultural workers or migrant fishermen."[5]

The amount of the grant a state receives is based on the full-time attendance equivalency of migrant children five to seventeen years of age that reside in a state. Since 1975 state grant allocations have been based on information supplied by the Migrant Student Record Transfer System.

Public Law 95-561 further clarifies definitions involving agricultural activity, current migratory children and formerly migratory children. A benefit of this law is that it provides that a child cannot be prevented from participating in a Title I migrant education program because of his limited English language proficiency. It also clarifies the obligation of a state to identify and recruit all migratory children who are eligible and regulates the extent to which the Migrant Student Record Transfer System must be utilized by a state.

Application for Funding, Administration and Management

The migrant education program is administered by the State. The state education agency (SEA) submits a proposal to the Office of Education. Upon its approval by the U. S. Commissioner of Education, the state is allocated money separate from the regular Title I program to operate a migrant education program. The state is required to submit a comprehensive individual project summary of the local education agencies it funds to indicate how the objectives and priorities set by the state are being met.

Local education agencies and other public or nonprofit organizations may voluntarily apply for funds from the state if they serve areas with migrant students. The Commissioner can also make special arrangements with other public or non-profit organizations in one or more states if he determines that (1) a state cannot or will not provide a migrant program; (2) this will provide more efficient and economical administration; or, (3) that it would greatly add to the welfare or educational achievement of migratory children. The Commissioner may use all or part of the State grant money.

Another important aspect of Migrant Education is the Migrant Student Record Transfer System (MSRTS), which was implemented because the Commissioner determined that it "would add substantially to the welfare and educational attainment of migrant children."[6] An equal percentage of each states' yearly grant is used for MSRTS because all participate.

Migrant Student Record Transfer System

The MSRTS was implemented in 1969 in Little Rock, Arkansas. It is a computer system that receives any information pertinent to a migratory child that is enrolled. The system provides prompt and accurate educational and health records of migrant children as they transfer from one school to another. This avoids duplication of health records and minimizes the need for testing and evaluating.

The information can be obtained within two days. The child can then have his educational needs met promptly by being placed at the appropriate level. The information is transmitted from the schools by telephone to terminal operators at the terminal centers and then to the MSRTS headquarters. There are 149 terminal centers throughout the nation.

In order to accurately meet the need of instructional services, "criterion-referenced reading and math skills have been developed. These coded skills are added to the MSRTS files so that as students move from one school to another, their record will indicate which reading and math skills they have mastered,"[7] so that they can be placed accordingly.

There are other services and benefits provided by MSRTS as well. For example, it "provides printing and mailing of student academic and health records to schools and develops and provides training and materials for states."[8]

The special benefits MSRTS includes are:

1. information for placement and care of children,
2. monthly newsletters,
3. provides a vehicle for interstate cooperation in the education of agricultural and fishing migrant children,
4. encourages positive attitudinal changes toward problems and needs of migrant children, and

5. provides statistics to USOE and the states for program planning and budgeting and for a better understanding of the nature of migrancy as related to agriculture and fishing.[9]

There are some functions, such as evaluation, parent involvement and fund allocation, that MSRTS considers necessary in order to manage a state migrant program. It publishes reports to help state administrators manage these functions.

The files of each student maintained by MSRTS are private and confidential. Only authorized personnel receive data on the students, and the information is transmitted in code.

Guidelines and Implementation

There are guidelines to be followed before a migrant education program can be implemented. A basic requirement is that LEA's must provide migratory children with access to all instructional and supportive services provided to non-migratory children.

Fundamental to both Title I local and Title I migrant is the "supplementing and the consequent improvement of regular educational programs through grants for special programs or projects to meet the special educational needs of educationally deprived children,"[10] although the state does not apply for Title I local program funds as it does for Title I migrant funds. Other differences exist between these programs.

A migrant student does not have to be below grade level. A Title I student must be below grade level and does not qualify for migrant education. However, if a migrant child meets the criteria of another federal program, he is eligible and can participate.

In the migrant education program, areas with concentrations of migrant children are first determined. The migrant child is then identified as a:

> currently migratory child - a child whose parent or guardian is an agricultural or fisher worker who has within the past twelve months moved from one school district to another or has moved from one state to another in order to enable the person to obtain temporary or seasonal employment in an agricultural or fishing activity. There are two categories of currently migratory children
>
> 1. interstate migratory child - a child who has moved with a parent or guardian within the past year from one state to another in order to obtain temporary or seasonal employment in an agricultural or fishing activity.

2. intrastate migratory child - a child who has moved with a parent or guardian within the past year from one school district to another to enable the person to obtain temporary or seasonal employment in an agricultural or fishing activity.

formerly migratory child - a child who was eligible to be counted and served as a currently migratory child within the past five years, but is not a currently migratory child; lives in an area served by a Title I, Migrant Education Project; and has the concurrence of his parent or guardian to continue to be considered a migratory child.[11]

It is then determined if the migratory child is in either of the following categories:

agricultural activity - (a) any activity directly related to the production or processing of crops, dairy products, poultry or livestock for initial commercial sale or as a principal means of personal subsistence; (b) any activity directly related to the cultivation or harvesting of trees; and (c) any activity directly related to fish farms, or the

fishing activity - any activity directly related to the catching or processing of fish or shellfish for initial commercial sale or as a principle means of personal subsistence.[12]

Migratory children are served according to their needs. First in priority are the school-aged currently migrant, then school-aged formerly migrant, preschool currently migrant and finally the preschool formerly migrant.

The needs of migrant children include remedial help, counseling, bilingual instruction and preschool education. Local parent involvement councils are important to migrant education. LEA's are required to "solicit actively parental involvement in the planning, operation and evaluation of its project and establish and consult a parent advisory council.[13] This also applies to SEA's. "The underlying philosophy of migrant parental involvement is based on demonstrated evidence that parents can be effective partners in the educational process."[14]

According to Elva Adams, Migrant Education, Dallas Independent School District, involved parents are aware of what the school and the child are doing. The parents also have an opportunity to talk to the principal concerning any problems they encounter during the parent advisory council meetings. These meetings are conducted in Spanish and English.

Texas Migrants

The majority of migratory workers have Texas as their home base. Most reside in South and West Texas.

Characteristically, migrants have limited formal education and are unskilled. They are paid wages lower than any other income group. Even though Congress has, since the Economic Opportunity Act of 1964, increased appropriations to Federal agencies for supportive services, the majority of the migrant workers still live in poverty and must migrate in search of employment. Furthermore, because of technical advancements in agriculture, migratory workers' chances for employment are reduced.

In 1978-79 there were over 700,000 registered enrollments in the MSRTS. Of these, 400,000 were served by MSRTS. Texas and California accounted for over half of the enrollments. Texas has 152,000 enrolled at MSRTS and served 105,000 of these children.[15]

In 1979-80 Texas received about $55.5 million for migrant education. Pharr-San Juan-Alamo in south Texas, received $2.6 million in funds. For 1980-81 Texas is applying for $64 million; Pharr-San Juan-Alamo is asking for $3.2 million.[16]

Some small school districts form a co-op and apply through regional service centers. An application is submitted by the Education Service Center, which allocates the funds to each district according to its needs. In 1979-80 there were 171 applicatons for funds from 320 districts. In 1980-81 there are 186 applications from 340 school districts.[17]

Conclusion

State education agencies do not have to have a migrant education program. Therefore, their attitude is very complacent. "It appears some schools feel it is a burden to identify and have a program for migrant children. It's not worth it."[18]

It is up to the local administration to identify and participate in a migrant education program. Therefore, if migrant children are not identified, they do not have to be served.

The state is responsible for educating the child. The public schools should provide all children with equal educational opportunities.

The schools need to train teachers to meet and understand the needs of migrant children. The curricula should be designed with migrant children in mind. Books, equipment, and materials should meet the specific needs of the students.

Every opportunity should be given to the child so that he can develop to his fullest potential. Programs that exist should be expanded and implemented where there are none.

Instruction is not enough. The child's social and economic life must be improved. The parents, educators and the community need to be involved. "Educational programs cannot be developed in law and then ignored in practice if worthwhile results are to be achieved."[19]

NOTES

[1] St. Edward's University, State Migrant Programs, Annual Report, 1979, p. 9.

[2] U. S. Department of Health, Education and Welfare, Title I ESEA: How it Workds-A Guide for Parents and Parent Advisory Councils, p. 3.

[3] Migrant Education, Title I, Elementary and Secondary Education Act, Overview Report, p. 1.

[4] Ibid.

[5] National Advisory Council on the Education of Disadvantaged Children, Special Report on Migrant Children, p. 3.

[6] Migrant Education, Overview Report, p. 3.

[7] Ibid., p. 6.

[8] What is MSRTS?, from packet provided by Frank Davila, Title I, Migrant Consultant, Education Service Center, Region XI, p. 6.

[9] Ibid., p. 7.

[10] Migrant Education, Overview Report, p. 3.

[11] Texas Education Agency, Guidelines for Migrant Education Programs, p. 1.

[12] Ibid.

[13] Department of Health Education and Welfare, "Grants to Meet the Special Educational Needs of Migratory Children", Federal Register, 3 April, 1980, 22268.

[14] Migrant Education, Overview Report, p. 7.

[15] Interview with Tommy Harris, Office of Education, Dallas, Texas, 26 June, 1980.

[16] Ibid.

[17] Ibid.

[18] Ibid.

[19] National Advisory Council on the Education of Disadvantaged Children, p. 9.

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TITLE I: FINANCIAL ASSISTANCE TO LOCAL EDUCATIONAL AGENCIES FOR THE EDUCATION OF CHILDREN OF LOW-INCOME FAMILIES

by
María Anita Castañeda

> Poverty has many roots, but the taproot is ignorance: Poverty is the lot of two-thirds of the families in which the family head has had nine years or less of schooling. Twenty percent of the youth aged 19 to 24 with an 8th grade education or less are unemployed--four times the national average.[1]

This was part of President Johnson's message to Congress on January 12, 1965. He went on to say that,

> ...the burden on the Nation's schools is not evenly distributed. Low income families are heavily concentrated in particular urban neighborhoods or rural areas. Faced with the largest educational needs, many of these school districts have inadequate financial resources. This imbalance has been increased by the movement of high income families from the center of cities to the suburbs--and their replacement by low-income families from rural areas.
>
> Despite a massive effort, our big cities generally spend only about two-thirds as much per pupil as their adjacent suburbs.
>
> In our fifteen largest cities, 60% of the tenth grade students from poverty neighborhoods drop out before finishing high school.
>
> This is a national problem. Federal action is needed to assist the states and localities in bringing the full benefits of education to children of low-income families.[2]

The Congressional response to President Johnson's address was Title I of the Elementary and Secondary Act of 1965. This act was signed into law on April 11, 1965. The purpose of Title I ESEA is to provide financial assistance to local

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Prior to her employment with the Fort Worth Schools, Ms. Castañeda participated in the Teacher Corps Program at Texas Woman's University. She graduated from the program in 1971 with a B.S. in Elementary Education and in 1977 received her M.Ed. from the same institution. Ms. Castañeda has worked both as a third grade bilingual program teacher and Title I resource teacher.

educational agencies serving areas with concentrations of children from low-income families to expand and improve their educational programs by various means which contribute particularly to meeting the special educational needs of educationally deprived children.

The Title I Elementary and Secondary Education Act carries several provisions and requirements. They include:

1. That school districts be entitled funds by a formula.
2. That the programs be provided to children living in school attendance areas having high concentrations of low-income children.
3. That services be authorized for Public and Nonpublic school children.
4. That an annual evaluation including objective measurements of educational achievements be made.
5. That dissemination of promising practices be made.
6. That maintenance of fiscal effort be evident.
7. That the Commissioner of Education be granted authority to establish basic criteria for State Education Agency approval of projects.
8. That school districts be in compliance with the Civil Rights Act (Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, and national origin in any program or activity receiving Federal financial assistance.)

The administering of the Title I Program is not solely the responsibility of one agency; but it starts with the United States Commissioner of Education. The Commissioner conducts the program at the natioanl level and determines the funding allocations for eligible districts or counties, State agencies, and the Bureau of Indian Affairs.

The second organization responsible for administering the Title I program is the State Education Agency. After its formal application and approval, it must assure that it will administer the program and submit reports that will follow the provisions of the law and its regulations. In administering the program, state agencies must:

1. Suballocate basic grant funds, where necessary, to eligible local education agencies.
2. Assist local agencies in the development of programs.
3. Approve proposed projects in accordance with the provisions of Title I and make payment of funds to local education agencies.
4. Maintain fiscal records of all grant funds.
5. Prepare and submit fiscal and evaluative reports to the Department of Education.

The third organization, the local education agency, develops and implements Title I approved projects. To qualify for a Title I program it must identify the educationally deprived children to be served, determine their special needs, design a plan to carry out the purpose of the program with regard to such children, and submit an application to the State agency for funds for a Title I program. The local agency must also:

1. Make available for inspection by the public the terms and provisions of each approved project.
2. Use grant funds for the purpose for which the projects have been approved.
3. Maintain adequate fiscal records on all project funds and reports to the state education agency on the use of such funds.
4. Maintain fiscal effort with respect to total current expenditures for education and also with respect to such expenditures in the project areas.

When the law was signed, three poverty indicators were required in the formula for distributing funds:

1. The number of children aged 5 through 17 from families with an annual income of less than $2,000.00.
2. The number of children aged 5 through 17 from families with incomes exceeding $2,000.00 in the form of aid to families with dependent children (AFDC), under Title IV of the Social Security Act.
3. One-half of the average per pupil expenditure in the state for the second preceding year.

Several amendments have been added to the original formula to include children supported in foster homes with public funds, the number of children in institutions for neglected or delinquent children, handicapped children and for migratory children. The per pupil expenditure was also changed to one-half the state or national average, whichever is higher.

Under the original legislation, the local district or education agency had to identify at least 100 children, or 3% of its total enrollment from low-income families to be eligible for Title I funding. The minimum requirement per county was 100 children from low-income families. It later changed the required number of children to 10 from all categories both for counties and local districts.

Amendments

Some of the major amendments to Title I ESEA legislation were made by Public laws 89-313, 89-750, 90-247, which provided for:

.Allocations to State agencies directly responsible for the free public education of handicapped children. (P.L. 89-313)

.Change in the computation of amounts for State administration to 1 percent of the amount allocated for Title I programs in a State or $75,000 (later $150,000), whichever is higher. The minimum for the outlying areas was changed to $25,000. (P.L. 89-313 and P.L. 89-750)

.Allocations to the Department of the Interior for the special educational needs of Indian children on reservations. (P.L. 89-750)

.Use of the most recent AFDC data in determining county allocations. (P.L. 89-750 and P.L. 90-247)

.Allocations to State agencies directly responsible for the free public education of children in institutions (not under a state agency) for neglected children or delinquent children, and children in foster homes, to the children from the census and from AFDC families for the purpose of determining county allocations. (P.L. 89-750)

.Allocations to state education agencies of Title I funds for grants, to be approved by the Commissioner upon application by the SEA, for programs for migratory agricultural workers. (P.L. 89-750)

.Use of one-half the State or national average per pupil cost of education (whichever is higher), in determining maximum allocations for counties and for state agencies. (P.L. 89-750 and P.L. 90-247)

.Requirement of the joint training of education aides and the professional staff they assist. (P.L. 89-750)

.Requirement of a report with recommendations on the use of data gathered later than 1960 in computing county allocations. (P.L. 90-247)

.Requirement of a report from the National Advisory Council on the Education of Disadvantaged Children on the most promising compensatory education programs. (P.L. 90-247)

.Repeal of the original incentive grant provisions (P.L. 89-750) and establishment of new incentive grant provisions (P.L. 90-247), neither of which has been funded.[3]

Public Law 95-561, dated November 1, 1978, provides that local education agencies may submit an application for a period not to exceed three fiscal years describing the programs and projects to be conducted under ESEA Title I. The application approved by the State education agency must describe the programs and projects and include the following:

Part I. Certification of Participating Local Agencies.
1. Designated Administrative and Fiscal Agent for the Project.
2. Legal name of the Local Education Agency, County, District, and name and title of the authorized Local Education Agency.
3. This section must be completed annually even if the grant is for three fiscal years.

Part II. This part explains to the applicant the procedures for applying for the grant. It gives the guidelines that apply with respect to the different parts of the application.

Part III. In this part the applicant gives the statistical information concerning eligibility and services funded under ESEA Title I; in other words, it must include the public schools which are to participate in the program, the total number of children enrolled in each campus, the children in each campus from low-income areas, and the estimated number of educationally deprived children who will participate in the Title I program.

Part IV. Needs Assessment and established Priorities. In this section of the application, the applicant must:

1. Identify the educationally deprived children in all eligible attendance areas and select those educationally deprived children who have the greatest need for speical assistance.
2. Identify the general instructional areas on which the program will focus.
3. Determine the special educational needs of participating children with specificity sufficient to facilitate development of high quality programs and projects.

Part V. The development of program components and program evaluation. This section includes:

1. The title of the component.
2. The student selection information.
3. The program objectives for the instructional components.
4. The narrative description of the program components, how the activities will be organized and carried out.
5. The personnel data--the students to be served and by whom they will be served. The number of teachers and aides that will be working with the children in the program.
6. The evaluation model to be implemented, the name of the instrument, the level and form of the test, the dates for pre- and post-testing.

Part VI. Parent Advisory Council--Section 125, of Public Law 95-561 requires that each local education agency shall establish a district-wide Parent Advisory Council for the entire school district and shall establish a Parent Advisory Council for each school of such agency in which more than forty students are to be served by a Title I program or project. The majority of the Parent Advisory Council members should be parents of children to be served in the Title I program. The members are to be elected by the parents in each district. It should include representatives of children and schools eligible to be served by, but not currently participating in programs assisted by Title I. The Parent Advisory Council advises the Local Education Agency in planning for, and implementation and evaluation of the Title I program.

Section 125 of Public Law 95-561 also stipulates that each local school with at least forty students participating in the Title I program should have a campus parent advisory council. The majority of the members of the campus councils should be parents of children to be served in the Title I program, and should be composed of members elected by the parents of each campus.

Part VII. Data on Specified items: In this section, the applicant must state the number of classrooms, personnel, and the number of students that are to be served in the program.

Parts VIII & IX. Budget Items--In these sections, the applicant must include auditable data for the funding years, the financial budget, and the budget description for the fiscal years the program will be in service.

Part X. Statement of Assurances--The agency applying for the funds must assure the chief state school officer that it will follow the stated regulations relating to the program funded under Title I of Public Law 89-10 as amended. There are twenty-two assurances that the program must abide by.

Part XI. Certification--The applicant must certify that they will follow the assurances stated in Part IX.

Impact of Title I Program

Like any new program when first implemented, the Title I program did not always have a positive impact. There apparently were programs that were not serving the children they were intended to serve, programs which were duplicating services, programs that were perhaps supplanting instead of implementing, and programs that were not complying by the rules and regulations. But there were also Title I programs throughout the nation which had a very positive impact on the education of the children being served. Reports from state and local agencies, as well as independent studies have shown that children who were falling further and further behind their peers in academic achievement began to show growth and some even narrowed the gap between their achievement levels and national norms.

California, for example, reports that in a statewide sample of districts, about 45% of the students in Title I programs had an average academic growth of one year or more. About 10% averaged 1.5 years or more in growth.

In Florida's Title I Remedial Reading Program, the Comprehensive Test of Basic Skills was used on a pre/post test basis to measure reading achievement. The mean gain was 1.7 months for each month of instruction.

If carefully designed and executed, Title I programs can be very effective. Focus must be made on the most needy children and their most urgent specific needs, and local agencies must use their funds to achieve their greatest impact.

With respect to the Title I program in the Fort Worth Independent School District, one must ask these same and other questions: Is it serving the most needy children? Is it meeting their most urgent needs? Is the program being used to its greatest advantage? Are services being duplicated? Is the program supplementing the Bilingual program? If it isn't, why not? Is it supplementing other programs? How? One must remember that the program is there to serve the children not to serve administrative and personnel staff.

NOTES

[1] U.S. Congress, Senate Committee on Labor and Public Welfare, Elementary and Secondary Education Act of 1965, 89th Congress, 1st Session, 1965, p. 25.

[2] Ibid, pp. 5-7.

[3] United States Department of Health, Education, and Welfare, Office of Education, History of Title I ESEA, June 1969, Washington, D.C.

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III. DEVELOPMENT OF SELECTED FEDERAL PROGRAMS: SOME PROCEDURAL CONSIDERATIONS

TALENT SEARCH:
AN UNCOMPLICATED DISCUSSION ABOUT A COMPLICATED SUBJECT

by
Elda González

Talent Search is one of the TRIO programs funded by the United States Office of Education (USOE). It was authorized by Section 417A - 417B, Title IV of the Higher Education Act of 1965 as amended. Its main objectives are to identify youths of financial or cultural need with exceptional potential for postsecondary educational training, to assist them in obtaining admissions to postsecondary schools, to provide adequate financial aid, to decrease the rate of secondary and postsecondary school dropouts and to increase the number of secondary and postsecondary school dropouts who re-enter an educational program.[1]

In order for this writer to acquaint the reader better with Talent Search, this paper will offer a hypothetical situation in which an Institution of Higher Education, which shall hereafter be referred to as Realitos Community College (RCC), will apply for and receive a Federal grant to implement a Talent Search program. For the sake of this discussion, the procedures and activities mentioned will all be required for funding of such a program.

Background Information

Realitos Community College serves a student body of 1,500 students. Most of the students attending Realitos Community College come from small towns and cities within a 300 mile radius from the college. The president of the college, Dr. Agustin López has been deeply concerned with the decreasing enrollment of Realitos Community College, and with the dropout rate among its Freshmen.

Ms. González received her B.S. degree in 1971 and M.Ed. in 1979 from Texas Woman's University. Ms. González has worked for the Fort Worth Independent School District for nine years. She has held various positions with the school system including: kindergarten and second grade teacher and bilingual program team leader. Elda is presently assigned as a Title I resource teacher to a school involved in the district's desegregation program.

He appointed a special committee which consisted of three educators, two interested parents and two community leaders to investigate the Realitos Public School District (primary target area), to establish an estimate of the need for a Talent Search Program. The Committee was assigned to determine:

1) The geographic area to be served (target area)
2) A description, citing data sources, of the target area in terms of the number and percentage of youths in the area from families whose family taxable income was not more than the low-income level prescribed annually by the Commissioner, and the number and percentage of eligible youths residing or attending school in the area
3) A description, citing data sources, of the individual secondary schools in the target area including, for the three years preceding the year for which the application is being submitted, an estimate of the dropout rate for each school, and an estimate of the number and percentage of students from each school who subsequently enroll in postsecondary institutions, an estimate of the number of students in the school from low-income families, and the ratio of counselors to students
4) An estimate, citing data sources of the ethnic/racial composition of youths from low-income families residing in or attending school in the target area, and the ethnic/racial composition of the youths to be served by the project
5) An estimate of the number of eligible youths (ages 14 through 27), which would meet the following requirements:
    a) Be a citizen or national of the United States, or be in the United States for other than a temporary purpose, and/or intend to become a permanent resident thereof, or be a permanent resident of the Trust Territory of the Pacific Islands
    b) Have (in the case of a youth enrolled in or graduated from secondary school) exceptional potential for success in postsecondary education or, in the case of a secondary or postsecondary school dropout, a demonstrated aptitude for reentry into and success in secondary or postsecondary educational programs
    c) Be in financial or cultural need
    d) Be in need of guidance and counseling to complete or return to secondary school
    e) Be in need of information and counseling on postsecondary educational opportunities
    f) Be in need of assistance in gaining admission or readmission to postsecondary educational institutions

- g) Be in need of assistance in applying for financial aid to attend such institutions

6) An estimate of the number of eligible youths that qualify under the following provisions for low-income families, as reported by the "Current Population Reports," Series P-60, Bureau of the Census, U. S. Department of Commerce:
   - a) 25% of all families residing in the target area must qualify as low-income families
   - b) 15% of all families residing in rural or scarsely populated areas of the target area must qualify as low-income[2]

The results of Dr. López' Committee work were the identification of one hundred and six eligible participants. Forty-six of these were dropouts from secondary school, eight were dropouts from postsecondary school, and fifty-two qualified as low-income and/or culturally disadvantaged.

Implementation

Once the Committee reported its findings and Dr. Lopez was satisfied with the need for a Talent Search Program in his area, he set out to establish the design for his program. The following are steps taken by Dr. López in developing the design of the program:

1) He determined a projection of the effect of the project in the target area on the Secondary and Postsecondary schools completion and dropout rate.
2) He wrote a detailed description of his plan for identifying and selecting eligible participants, which included:
   - a) standardized testing
   - b) word of mouth
   - c) teacher recommendation
   - d) identification of participants through community participation
3) He wrote a detailed description of his evaluation plan, specifying: how effective his program was in terms of enrolling participants in postsecondary educational programs with adequate financial aid and in returning participants to secondary or postsecondary educational programs.
4) He wrote a detailed description of his plan to orient the secondary and postsecondary schools in the target area to the goals of the Talent Search project. He also made provisions to utilize community and other resources to supplement activities including written committments from the community and from other relevant organizations.
5) He included a description of the project's staffing pattern, the required professional qualifications and experiences, the duties and salary range for each professional catagory, and the plan for staff selection and in-service training.[3]

Dr. López decided that in order to meet the need for a Talent Search program in his area he would have to make provisions for the following staff in the project design:

1 Full-time Coordinator
1 Part-time Research and Evaluation Specialist
3 Recruiting and Resource Specialists with a Counseling and Guidance background to work with the 55 secondary and postsecondary dropouts (part-time)
2 Part-time Recruiting and Resource Specialists to work with low-income and/or culturally eligible participants

The last part of the design for the program would be to include a detailed budget. The budget would detail direct and indirect costs.

Once the need had been established and the "Needs" and the "Program Design" sections had been written up (preferably in less than fifty pages), Dr. López was ready to complete the rest of the Application for Grants. He and the Committee carefully filled in all the questions in the application form. They filled out the Assurance of Compliance with HEW regulations under Title VI of the Civil Rights Act of 1964. This only stated that during the period in which he would be receiving Federal Assistance, the applicant was obligated not to discriminate on the grounds of race, color or national origin, or subject anyone to discrimination by excluding them from participating in, or by denying them benefits of any aspects concerning the Federally-funded program.[4]

They also filled out the Assurance of Compliance with Title IX of the Educational Amendments of 1972, and the Regulations of HEW in implementation thereof. This only meant that the program or anyone involved with the program could not discriminate on the basis of sex.[5]

Another required Assurance of Compliance was Section 504 of the Rehabilitation Act of 1973, as amended. This Assurance was to insure that the applicant did not discriminate against any physically handicap person.[6]

Finally, they filled out an Assurance of Protection of Human Subjects Certification. This stated that certain safeguards would be instituted so that participants in the program would not be subjected to the risk of physical, psychological, sociological or other harm.[7]

Dr. López mailed in the Application for Grant before the expiration date and sat down to await the approval or disapproval time of about ninety to one hundred and eighty days. Three months later, Dr. López was appropriated $85,000 for a Talent Search program for the Realitos Community College target area.

During the three month wait, Dr. López was able to do additional research on the subject. He found that there are approximately $130 million anticipated to be available for the Special Programs for Students from Disadvantaged Backgrounds for fiscal year 1980.

The breakdown is estimated to be:[8]

Program	Appro. funds	No. of Grants	Avg. Grant
Upward Bound	$51,000,000	390	$130,700
Talent Search	$15,300,000	160	$ 95,600
Special Services	$45,000,000	484	$ 93,000
Ed. Opp. Centers	$ 6,300,000	27	$233,000

He also found that the Education Amendments of 1976 provided several changes to Title I of the Higher Education Act of 1965. Some of these changes are:[9]

1) Provide a new Federal emphasis on research and development in the area of lifelong learning for all adults
2) Require the establishment of a clearinghouse
3) Permit each State to earmark up to 10% of its grant for statewide planning for postsecondary continuing education
4) Encourage State assessments and demonstration programs for the non-traditional students

In addition, Dr. López found that the Education Amendments of 1976 also extended the Special Programs for Students from Disadvantaged Backgrounds through fiscal year 1982, and amended the law to improve the coordination, administration and evaluation of these programs. They also increased the number of persons served, and extended the character of the services available.[10]

Other related programs were a Special Focus Program to assist individuals from isolated rural backgrounds and minority group individuals under-represented in specific careers. A new Service Learning Center was located on University campuses to provide remedial, counseling, tutorial, and other services for students with educational needs. This program would be open not only to low-income students, but would serve those students with significant educational disadvantages and in need of tutorial assistance.

The coordinating mechanism for the TRIO programs which includes Talent Search, Upward Bound, and Special Services would be the National Center for Postsecondary Opportunity located within the Office of Education. The Center would coordinate and evaluate all programs, furnish technical assistance and act as a clearinghouse for disseminating information regarding effective and exemplary programs.[11]

Conclusion

Although details of particular Talent Search programs may vary, their mission remains consistent. Talent Search is an excellent way of reaching out to all those young people who, given a chance, can become successful citizens. It searches out and identifies youths with academic potential who need just that little extra help in fending for themselves, and perhaps, most important, it provides all these services for a minimal cost.

NOTES

[1] U.S. Department of HEW, Office of Education, Application for Grants Under Talent Search (CFDA No. 13.488) (Washington, D.C.: U.S. Government Printing Office, 1979), p. A1.

[2] Ibid., p. B2.

[3] Code of Federal Regulations 45: Public Welfare Parts 150-199 (Washington, D.C.: U.S. Government Printing Office, 1978), p. 159.1.

[4] U.S. Department of HEW, Office of Education, Application for Grants Under Talent Search (CFDA No. 13.488) p. H2.

[5] Ibid., p. H7.

[6] Ibid., p. H8.

[7] Ibid., p. H8.

[8] Ibid., p. D3.

[9] Mr. Pell, from the Committee of Conference, 94th Congress, Senate, Conference Report, Education Amendments of 1976, (Washington, D.C.: U.S. Government Printing Office, 1976), p. 4-6.

[10] Ibid., p. 13.

[11] Ibid., p. 14.

HEAD START: A BEGINNING

by
Lenora Muñoz

Introduction and Background

Each year almost one million children from low-income families enter school. While many of their more fortunate classmates may face this new challenge with assurance, many children from low-income homes begin school with health problems, a lack of self-confidence or a lack of the desire to learn. Without the will to learn and the belief they can learn, these children often fall behind in their first years of school and find their troubles compounded as their education continues, if it continues.

Educators believe that if ways could be found to strengthen the ability of a disadvantaged child enabling him to cope with school and his total environment, thousands of children might have a brighter future.[1]

To achieve this goal, the Federal Government in 1964 asked a panel of child development experts to design a program to help communities overcome the handicaps of disadvantaged preschool children. In that report, which later became the blueprint for Project Head Start, Dr. Robert Cook, then Pediatrician-in-Chief of Johns Hopkins Hospital and chairman of the panel, wrote:

> There is considerable evidence that the early years of childhood are a most critical point in the poverty cycle. During these years, the creation of learning patterns, emotional development, and the formation of individual expectations and aspirations take place at a very rapid pace. For the child of poverty, there are clearly observable deficiencies in these processes, which lay the foundation for a pattern of failure and thus a pattern of poverty throughout the child's entire life.[2]

Ms. Muñoz moved to Fort Worth from Austin where she taught in the district's kindergarten program. She is presently teaching third grade. Ms. Muñoz was awarded her B.S. in Elementary Education from Tarleton State University in 1973, and her M.Ed. from the University of Texas.

The Economic Opportunity Act of 1964 did not specifically address itself to the educational problems of poor children. It did emphasize exit from poverty was possible through training and work, but advocates of a preschool program for poor children insisted that it was never too early to start building bridges leading from poverty.[3] The Declaration of Purpose is set forth in Section Two of the Economic Opportunity Act of 1964.

> Although the economic well-being and prosperity of the United States have progressed to a level surpassing any achieved in world history, and although these benefits are widely shared throughout the Nation, poverty continues to be the lot of a substantial number of our people. The United States can achieve its full economic and social potential as a nation only if every individual has the opportunity to contribute to the full extent of his capabilities and to participate in the workings of our society. It is, therefore, the policy of the United States to eliminate the paradox of poverty in the midst of plenty in this Nation by opening to everyone the opportunity for education and training, the opportunity to work, and the opportunity to live in decency and dignity. It is the purpose of this Act to strengthen, supplement, and coordinate efforts in furtherance of that policy.
>
> It is the sense of the Congress that it is highly desirable to employ the resources of the private sector of the economy of the United States in all such efforts to further the policy of this Act.[4]

This section specifically outlined motives for eliminating poverty. Under Title II--Urban and Rural Community Action Programs, in Section 210, (a):

> A community action agency is identified as being a political subdivision of a State (having elected or duly appointed governing officials) or a combination of such political subdivisions, or a public or private non-profit agency or organization which has been designated by a State or such a political subdivision or combination of such subdivisions.

Continuing to Section 222 (a), the Act further states:

> In order to stimulate actions to meet or deal with particularly critical needs or problems of the poor which are common to a number of communities the Director may develop and implement special programs under this section. Programs

under this section shall include those described in the following paragraph:

1. A program to be known as "Project Head Start" focused upon children who have not reached the age of compulsory school attendance which:
   (a) will provide such comprehensive health, nutritional, educational, social, and other services as the Director finds will aid the children to attain their full potential, and,
   (b) will provide for direct participation of the parents of such children in the development, conduct and overall program direction at the local level.[5]

Pursuant to such regulations as the director may prescribe, persons who are not members of low-income families may be permitted to receive services in projects assisted under this paragraph: A family which is not low-income shall be required to make payment, or have payment made in its behalf, in whole, or in part for such services where the family's income is or becomes through employment or otherwise, such as to make payment appropriate.[6]

Program Guidelines and Operations

In order to receive funding for a Head Start program, an agency must be qualified to administer the program and the funds granted to it efficiently and effectively, in accordance with the purposes of Title II, Part A, of the Economic Opportunity Act of 1964, as amended.

Grantees and delegates are subject to evaluations of their programs and periodic financial audits. Grantees and delegates must maintain the records and internal controls needed to achieve and document compliance with all requirements. No program may be administered in any manner which identifies it with any partisan political activity. The applicant agency has ultimate responsibility for the Head Start program. Final responsibilities are in the following major areas:

(1) Recruitment of eligible children,
(2) Effective use of resources to provide services to all Head Start programs in area being served,
(3) Justification for expenditure of and accurate accounting for all grant funds,
(4) Maintaining a high-quality program,
(5) Constant evaluation and improvement of Head Start programs.[7]

To allow sufficient time for a careful review by the appropriate OEO office, applications for grant funds to operate a Head Start program must be received by the Office of Economic Opportunity seventy-five days before the anticipated approval dates of the grant. After the grant has been approved an additional thirty days is required to obtain the state Governor's approval and to process necessary documents and disburse funds.[8]

Changes in program budget allocations require clarification. These budget changes must be based on careful study of the most effective way to provide quality services to the children and families of Head Start participants.[9]

As for personnel, guidelines for salary levels should be set according to prevailing local rates. Examples of these salaries, in addition to those of the local school system, should be listed in an attachment to the budget. Also included in the budget should be consultant and contract services, travel, space costs and rentals, consumable supplies, and rental, lease or purchase of equipment.[10]

Each grantee, whether public or private, is required to maintain an accounting system adequate to meet the purposes of the grant. This is done by submitting a letter from the appropriate public financial officer that he accepts all responsibility for providing financial services adequate to comply with financial instructions.

Private, non-profit agencies must have a Certified Public Accountant state that the grantee has established an accounting system adequate to comply with financial instructions.

Preliminary Audit Surveys are mandatory for grantees whose operations have not been audited in accordance with OEO requirements in the past twelve months. Also grantees who have had significant increases in funding or have new delegate agencies may be required to have such a survey.

All Head Start grantees must be certain they are adequately covered by insurance. Cost of insurance may be included in the budget. Every Head Start program must design and maintain a system of records, including information on each individual child, the families and participants.[11]

For the fiscal year, October, 1979 to September, 1980, Head Start received $59,750,848.00, as well as $3,706,402.00 for the handicapped. These funds are for Region VI, an area consisting of Texas, Louisiana, Arkansas, Oklahoma, and New Mexico.

In February, 1969, President Nixon called for "...a national commitment to provide all American children an opportunity for healthful and stimulating development during the first five years of life." To fulfill this commitment, the Office of Child Development was established within the office of the Secretary of the U. S. Department of Health, Education, and Welfare, on July 1, 1969.[12]

On that date, Head Start was delegated to the Office of Child Development. In September 1969, the Children's Bureau, formed in 1912, was transferred from the Social and Rehabilitation Service of the Department of Health, Education, and Welfare to the Office of Child Development. On April 1, 1973, OCD became a part of the new office of Human Development.[13] In 1977, the agency was expanded to include additional child welfare and youth programs and was renamed the Administration for Children, Youth, and Families.[14]

Project Head Start was first launched as an 8-week summer program by the Office of Economic Opportunity in 1965. Recruiting children from age three to school entry, Head Start over the years became primarily a full-year program and was enthusiastically received by educators, child development specialists, leaders and parents across the nation.

Since its inception, Project Head Start has served more than six million children. Some 400,000 children participate in Head Start programs each year--approximately 20 percent of the preschool children now living in poverty in this country.

In thousands of centers across the country, Head Start works to strengthen the ability of these children to cope with school and the world around them--and helps open up new opportunities for the children and their families.

Nationally, Head Start is administered by the Head Start Bureau of Administration for Children, Youth, and Families. Locally, the activities of some 9,000 Head Start centers in the 50 states, Puerto Rico, the Virgin Islands, and the U. S. Trust Territories are supervised by approximately 1,300 grantees--including Community Action Agencies, public school systems, and other community-based organizations.[15]

Program Components and Activities

In 1975, performance standards were adopted to ensure that every Head Start program provided the services necessary to meet the goals of each of the following four major components of Head Start:

1. Education--Head Start's educational program is designed to meet each child's individual needs. It also aims to meet the needs of the community served and its ethnic and cultural characteristics.
    (a) Children who have physical or emotional handicapped children in Head Start Classrooms and participate in most daily activities, so that they can learn to relate to other children and function well in any situation. By law, handicapped children must account for at least 10 percent of Head Start enrollment in each State.
    (b) Children from Spanish-speaking families who make up about 15 percent of all Head Start children, participate in programs that provide

instruction in both English and Spanish and stress the cultural heritage of their families. Head Start has pioneered in developing bilingual-bicultural curricula for pre-school children and established methods of training teachers who work with Spanish-speaking children.

(c) Children from Native American and Migrant families take part in Head Start programs that meet their special needs. Head Start programs for Native American children preserve their tribal tradition and encourage pride in the American Indian way of life. Children of migrant farm workers, whose families move from state to state, are served by a network of Head Start programs that help them adjust to a new environment while maintaining the language and culture of their families. In the Head Start Bureau, a special Indian and Migrant Programs Division administers programs that now serve more than 10,000 Indian and migrant children.

(Each child receives a variety of learning experiences to foster intellectual social, and emotional growth. Children participate in indoor and outdoor play and are introduced to the concepts of words and numbers. They are encouraged to express their feelings and to get along with others. Head Start programs have a low teacher-child ration. Staff members receive training in child development and in handling developmental problems of preschool children.)

2. Health--Head Start emphasizes the importance of early identification of health problems. Since many preschool children of low-income families have never seen a doctor or a dentist, Head Start provides every child with a comprehensive health care program, including medical, dental, mental health and nutritional services.

   (a) Medical and Dental--Children receive a complete examination, including vision and hearing tests, indentification of handicapping conditions, immunizations, and a dental exam. Follow-up tratemtnt is provided for identified health problems.

   (b) Nutrition--Many children entering Head Start have not received good, nourishing meals at home. In the program children are served a minimum of one hot meal and snack each day, in order to meet at least one-third of their daily nutritional needs. A trained nutritionist supervises the nutritional activities of each Head Start program and helps the staff identify the nutritional needs of the children. The nutritionist plans an educational program to teach how to select healthy foods and prepare well-balanced meals, and how to obtain food stamps and other community assistance when needed.

(c) Mental Health--Head Start recognizes the importance of providing mental health and psychological services to children of low-income families, to encourage their emotional and social development. A mental health professional must be available to every Head Start program to provide mental health training to staff and parents and to make them aware of the need for early attention to the speicla problems of children.

3. Parent Involvement--Parents are the most important influence on a child's development. An essential part of every Head Start program is the involvement of parents in parent education and program planning and operating activities. Many serve as members of Policy Councils and Committees and have a voice in administrative and managerial decisions. Through participation in classes and workshops on child development and through staff visits to the home, parents learn about the needs of their children and about educational activities that can be carried out at home. Many parents also serve in Head Start on a volunteer or paid basis as aides to teachers, social service personnel, and other staff members, and as cooks, story-tellers, and supervisors of play activities. They receive preference for employment in non-professional Head Start staff jobs.
4. Social Services--Often, parents of Head Start children have difficulty providing all the things they need. It is the job of the Head Start social service coordinator to refer these families to local agencies, to help them obtain the services needed.[16]

Project Head Start provides staff, at all levels and in all program areas, with training to improve job performance and with opportunities for career advancement within the program. Local Head Start programs inform the HEW Regional Offices of Child Development or the Head Start Indian and Migrant Programs Division of their training needs, and good-faith effort is made to meet those needs.[17]

In addition, the Head Start Supplementary Training Program gives professional and non-professional employees the opportunity to study child development and related subjects at colleges and universities, in courses which can lead to academic degrees or to certification in the field of early childhood education. Some 10,000 Head Start staff members are now enrolled in Supplementary Training Programs. About half of these men and women are receiving Child

Development Associate degrees, which will enable them to work as professionals in the child care field.[18]

Exemplary Projects

Building on knowledge gained through years of working with preschool children of low-income families and their parents, Head Start has launched a number of demonstration and training programs in selected sites across the country. The demonstration projects have shown new ways to serve children and families. The training projects have provided technical assistance to Head Start cneters and have helped develop a new corps of professional child care workers. Head Start's demonstraiton and training activites have included innovative programs such as:

1. Parent and Child Centers. They provide health, nutrition and other services to low-income families with children under age three and serve as a source of information on the needs of young children who may enter Head Start later.
2. The Child and Family Resource Program. This program enrolls families of up to age eight members, identifies their needs, and helps find the community agencies that can help them.
3. The Child and Family Mental Health Project. This project provides preventive mental health services to Head Start children to foster their social development and prevent emotional problems from arising at an early age.
4. The Basic Educational Skills Project. This project develops curricula to help preschool children acquire the educational skills and positive learning attitudes that will help improve their performance and foster greater achievement in elementary school.
5. Project Developmental Continuity. This program encourages Head Start directors and school administrators to work together to ensure continuity on curricula, health care and parent involvement as children move from preschool to elementary school.
6. Home Start Training Centers. These centers assist Head Start centers in setting up developmental programs for children and parents in their own homes and train home visitors to work with these families.
7. The Child Development Associate Program. Child care workers are trained in Head Start and other programs to help them achieve professional status in the child care field and receive CDA credentials that are based on their ability to work with young children.[19]

Accomplishments of Head Start

Through working with thousands of children and through many experimental projects, Head Start has learned much about young children, notably those from low-income families. The program has recognized the importance of continuity in education to maintain gains made by children in Head Start when they enter elementary school. Head Start has called attention to the need to individualize services to meet the requirements of different children, ethnic groups and communities. It has also helped to mephasize the need for parent training, and parent involvement in the planning and development of Head Start activities.[20]

The program has played a major role in focusing the attention of the nation on the importance of early childhood development. It has served as a model for other public and private programs for preschool children, and has encouraged increased services for young children--including social, health and mental health services.

Head Start has pioneered the use of volunteers and paraprofessionals as classroom aides. Head Start has also had a significant impact on many communities by influencing local educational and health institutions to become more responsive to the needs of low-income families.[21]

Evaluation Procedures

There is a midyear and an annual Program Information Report use to evaluate the Head Start programs. Before the annual visit by the community representative and technical and training assistance contractors, each Head Start center fills out the Self-Assessment Validation Instrument. This form helps officials to evaluate the management of the center.

Every three years, each Head Start center is evaluated, in depth, by a team from the office of Administration for Children, Youth, and Families. The number of people on the team varies depending on the size of the center. Each evaluative report is sent to the regional and national office.[22] In conjunction with the periodic evaluation, Head Start has undergone various surveys. One such study evaluated the program's impact on the community. The survey centered on the relationships between the Head Start program and the community. The survey indicated that Head Start has been influential in the process of institutional change. This survey took place in fifty-eight communities with full-year Head Start programs. Most of the changes were consistent with Head Start philosophies and program goals. Changes occurred because individuals and groups associated with Head Start played important roles in bringing about educational and health change.[23] The major factor was active parent participation.

A Report Of A Head Start Program in Fort Worth, Texas

According to John Widner, Executive Director of Day Care Association in Fort Worth, Texas, Head Start has been under the supervision of that agency since 1976. Until then, Head Start was under the supervision of the Community Action Agency. There are seven Head Start programs in Fort Worth. These programs follow the same program performance standards as all other programs nationwide.

Head Start has been in operation in Fort Worth twleve years and follows the eleven month program.[24]

In visiting a Head Start center in Fort Worth, Mrs. Emma Banda, program director, explains the program's activities:

> In this center, there are 51 children in ages of three, four, and five. The day starts at 8:30 and ends at 2:30 providing the children with breakfats, group activity, outdoor play, lunch, snack and another activity before departure.
>
> The center uses the Integrated Approach Design by Dr. Eugene Howard of Stephen F. Austin in Nacogdoches, Texas. Activities are taken from this curriculum guide to integrate in the learning center activities.

This center has eight staff members and additional volunteer help. The volunteers have specific instructions as to how to utilize their time while at the center. The center stays in compliance with Head Start performance standards.

According to Mrs. Banda, parents seem to have an active part in the program and are kept well-informed about their children. Mrs. Banda's staff makes three home visits during the year. A newsletter is sent to each child's home every month, and is supplemented by an activity calendar. Mrs. Banda has received positive feedback concerning the children's progress in Head Start. Furthermore, the transition from Head Start into the elementary school apparently has not been difficult for her students.[25]

Summary

Head Start has greatly influenced the beginning of academic careers for a majority of disadvantaged children. This program provides enriching activities along with resources which can and have helped young children develop.

The program has helped to build a solid foundation for a child to begin his learning life. However large or small, the contribution a Head Start program makes to an individual child, it should help give him an easier beginning.

Overall, Head Start has provided many opportunities for the disadvantaged child and parent. The comprehensive program, parental involvement, low teacher-child ratio, and opportunities for teacher career advancement as well as opportunities for teacher or specialist employment are reasons for the success story of the Head Start program.

We, as educators, can greatly enhance or deteriorate a child's life. We can provide the child with opportunities that are available on many different levels.

Head Start is one program that, this writer feels, would be advantageous to every child.

The following poem represents the responsibility we as educators and parents have. The writer believes Head Start programs help meet those responsibilities. Yet, we must certainly reaffirm them in order to do our job.

"I Am The Child"

I am the child.
All the world waits for my coming.
All the world watches with interest to see what
   I shall become.
Civilization hangs in the balance,
For what I am, the world of tomorrow will be.

I am the child.
I have come into your world about which I know
   nothing.
Why I came I know not;
How I came I know not.
I am curious; I am interested.

I am the child.
You hold in your hand my destiny.
You determine, largely, whether I shall succeed
   or fail.
Give me, I pray you, those things that make for
   happiness.
Train me, I beg you, that I may be a blessing
   to the world.

from "Child's Appeal,"
Marnie Gene Cole.

NOTES

[1] U. S. Department of Health, Education, and Welfare, Office of Human Development, Head Start, A Child Development Program, p. 1.

[2] Ibid., p. 1.

[3] U. S. Office of Education, 1966, Equality in Education, and Welfare, Office of Human Development, Head Start, A Child Development Program, p. 1.

[4] United States Senate, Economic Opportunity Act of 1964 as amended. Prepared for the Subcommittee on Employment, Manpower and Poverty of the Committee on Labor and Public Welfare, U. S. Government Printing Office, Washington, 1970, p. 3.

[5] Ibid., p. 4.

[6] Ibid., p. 5.

[7] Office of Child Development, U. S. Department of Health, Education, and Welfare, Head Start Child Development Program, A Manual of Policies and Instructions, Washington, D.C., 1967, p. 43.

[8] Ibid., p. 44.

[9] Ibid., p. 44.

[10] Ibid., p. 46.

[11] Ibid., p. 47.

[12] U. S. Department of Health, Education, and Welfare, Office of Human Development, Office of Child Development, Children's Bureau, 1975, p. 1.

[13] Ibid.

[14] U. S. Department of Health and Human Services, Office of Human Development Services, Administration for Children, Youth, and Families, Serving America's Children and Families, Washington, D.C., April, 1980, p. 2.

[15] Ibid.

[16] U. S. Government Printing Office, 1977, pp. 4 & 7.

[17] Ibid., p. 9.

[18] Ibid.

[19] U. S. Department of Health and Human Services, Office of Human Development Services, pp. 4-5.

[20] U. S. Government Printing Office, 1977, pp. 12-13.

[21] Ibid., p. 14.

[22] Mike Arredondo, Community Representative Supervisor, Interview held during June 24 and June 30, 1980, Dallas, Texas.

[23] U. S. Department of Health, Education and Welfare, Project Head Start, Office of Child Development, A National Survey of the Impact of Head Start Centers on Community Institutions, May, 1970, pp. 141-145.

[24] John Widner, Executive Director of Day Care Association, Interviewed during June 20, 1980, Fort Worth, Texas.

[25] Mrs. Emma Banda, Head Start Center Director, Interviewed June 23, 1980, Fort Worth, Texas.

Resources

Aredondo, Mike, Community Representative Supervisor, Administration for Children, Youth, and Families, Regional Office, Head Start, Dallas, Texas.

Banda, Emma, Head Start Center Director, 1901 Harrington, Fort Worth, Texas 76106.

Widner, John, Executive Director of Day Care Association, 2807 Race Street, Fort Worth, Texas.

AN OVERVIEW OF THE INDIAN EDUCATION ACT OF 1972

by
Eunice R. Grimaldo

The educational needs of American Indians are very unique. Cultural differences, rural isolation, and the desire to keep an Indian identity are some of the factors which affect the academic achievement of Native Americans.[1] Furthermore, they have been treated as separate nations with dual rights and special ties to the Federal Government which makes them a unique American minority.[2] These various factors have caused many educational problems.

Historical Background

A new awareness of these educational problems of Native Americans led to the enactment of the Indian Education Act of 1972 by the Federal Government. The purpose of this study is to give a brief summary of the historical developments and federal educational programs which preceded the enactment of the Indian Education Act of 1972. It will focus on the main features of the Act, and the impact which it has on the education of American Indians.

On June 23, 1972, the Indian Education Act of 1972 was signed into law as Title IV, Public Law 92-318, Education Amendments of 1972, to meet the special needs of the Indian students in the United States.[3]

The special needs were not defined, but it was evident that many problems existed. For example:

(1) The average educational level for all Indians was 8.4 years.
(2) In grades 8-12, the dropout rate was 39-48 percent.
(3) Studies showed that Indian students scored significantly lower in measures of achievement at every grade level than the average white pupil and that the degree of lag was greater at grade 12 than at grade one, indicating that the longer students stayed in school, the farther behind they fell.

Ms. Grimaldo received her B.A. degree in Elementary Education from Howard Payne College and her M.Ed. in Elementary Education with a specialty in Bilingual Education from Texas Woman's University.

(4) Statistics showed that 25 percent of all Indian children started school unable to speak English, demonstrating a vital need for bilingual education.
(5) A 1970 survey showed that 36 percent of parents of Indian children had not continued beyond high school and that parental participation in their children's educational process was minimal.
(6) In 40 percent of the cases surveyed, no teacher-parent interaction relative to pupil progress occurred, and nearly 70 percent of the parents had no contact with teachers regarding their child's behavior.[4]

In order to better understand the present problems of the American Indians, it is essential to review important historical developments of Indian Education programs.

The history of legislative funding dates back to 1789 when President Washington and the Senate promised to educate the American Indians in exchange for large portions of land.[5] Prior to this time, Indian education in the United States was under the direction of missionaries. The government assumed the responsibility to educate the Indians after signing several treaties with the tribes.[6] Assuming that the Indians would eventually assimilate into the majority culture, the government showed little regard for the Indian's own way of life.[7]

However, Indians were granted the same rights as non-Indians including free state education as a result of the passage of The Indian Citizenship Act of 1924. Later, in 1928, the Meriam Report brought the Indian plight to national attention. The report concluded that (1) the public officials were providing poor educational and health services to Indians, and (2) the Indians were not managing their own affairs.[8]

In 1934, the Johnson-O'Malley Act provided federally funded scholarships to Indian students educated in federal schools (operated by the Bureau of Indian Affairs), mission schools, and community-controlled schools.[9] This act encouraged the public schools to accept more Indian students into their systems.[10]

In 1952, Public Laws 874, and 815 (Impact Aid) were enacted, providing federal aid to school districts for revenue lost because of federal lands which decrease the property tax base. It also provided for construction costs of educational facilities.[11]

In 1965, under Title I of the Elementary and Secondary Education Act (ESEA), federal aid was made available to school districts with low-income families including Indian pupils.[12] Although Indian students benefited from many Federal education programs, there was no clear understanding of the educational requirements of Indian students before this law. Therefore, it was necessary to pass legislation that would provide a realistic distribution of Federal funds for implementing special educational programs for Indian students.[13] It was evident that there were certain ambiguities in prior legislation. For example, during one of the Congressional Hearings held prior to the enactment of The Indian Education Act of 1972, Senator Fannin stated that one of the problems of Public Law 874 was the uncertainty of the continuation of the program, because in order to get it through Congress it was imperative to take care of other districts who did not need the help but had the political power to force it through.[14] This problem was later resolved with the enactment of Title IV which provided funding for three years through the Continuation Awards.

In another hearing in 1968, Senator Robert Kennedy alluded to the special needs of the American Indian. He quoted from the Coleman's Report concerning the Native American:

> (1) The average Indian income is $1,500 a year--75 percent below the national average.
> (2) His unemployment rate is 10 times the national average.
> (3) He lives 10 years less than the average American.
> (4) The death rate for his children is twice as high as the national average.[15]

Thus, recognizing the need for additional assistance of American Indians and Alaskan Natives, Congress passed the Indian Education Act of 1972 (Public Law 92-318, Title IV).[16] The Act contains five sections:

> (a) financial assistance to public school districts and schools on or near reservations,
> (b) funding for planning, pilot, and demonstration projects,
> (c) funding of adult education projects, primarily in the area of literacy and high school equivalency,
> (d) establishment of the National Advisory Council on Indian Education and the Office of Indian Education, and
> (3) a set-aside under the Education Professions Development Act for the training of Indian teachers.[17]

The purpose of the Indian Education Act was to provide equal educational opportunity to all Native Americans. In order to fulfill this goal, legislative authority was set out in Parts A, B, and C.[18]

Part A--Objectives and Uses

Part A provides financial assistance to local educational agencies (LEA's) for the development and implementation of elementary and secondary school programs designed to meet the special educational needs of Indian children, such as:

(1) to increase academic performance,
(2) to improve attendance and reduce dropout rates, and
(3) to increase the relevance of the cultural heritage.[19]

Grants may be used to develop programs to meet the needs of Indian children including pilot projects to test the effectiveness of such plans. This program is considered eligible for joint funding with other Federal programs.[20]

Part A--Program Operations

Grants are made to the LEA's which apply according to the number of Indian and Alaskan Native students enrolled, which **is** multiplied by the State average per pupil expenditure. Monies appropriated under the Indian Education Act are used for:

(1) grants to local education agencies which provide free education to Indian children, and
(2) financial assistance to schools on or near reservations which are non-local educational agencies in existence for more than 3 years.[21]

Part A--Program Accomplishments

In 1979, the program made awards to 1,148 applicants, and provided support services and additional staff for the improvement of the educational needs for Indian children. There were about 1,200 awards made in 1980, and approximately 1,210 awards will be made in 1981.[22]

Part A--Activities

In order to assure the operation of services to basic education and cultural enrichment programs, the Office of Indian Education performed the following activities in 1977:

(1) The applications were reviewed to ensure compliance with the law; visits were made to project sites; and a National Conference With Grantees was held to provide information relating to quality educational practices.
(2) A "Parent Committee Information Kit" was developed in order to provide pertinent information for the planning, development, and operation of programs under Part A so as to encourage Indian community participation.

(3) An extensive review was conducted on project cost and performance data in order to identify successful practices.

(4) An intensive planning program was established to ensure educational reform in Indian controlled (non-LEA) schools.

(5) An Indian Education Evaluation Handbook was disseminated to all grantees with the purpose of improving the quality of educational evaluation at the local level.[23]

Part B--Objectives and Uses

The purpose of Part B is to utilize grants to plan, develop, and implement programs and projects for the improvement of educational opportunities for Indian children. Grants provide for the educational training for teachers of Indian children.[24]

Part B--Program Operation

Grants are made on the basis of national competition. The strategy for Part B is to involve the local Indian community in assessing its own needs. Both school system personnel and Indian community work together from the needs assessment through the final evaluation to achieve specific goals.[25]

Part B--Program Accomplishments

In 1979, awards were made to 82 applicants to support projects which addressed the special educational needs of children. More than 67 awards will be made in 1980, and 72 awards will be made in 1981. Examples of funded projects include supplementary education services; planning, pilot, demonstration, and exemplary projects; and educational personnel training.[26]

Part B--Activities

The approved projects revealed the special needs of the local communities. The projects dealt with the development of compensatory education, bilingual/bicultural programs, instructional materials and media centers, dropout prevention and vocational training. In 1976, there were 104 fellowships awarded for study in the areas of law, medicine, business, engineering, forestry, and other related areas.[27]

Part C--Objectives and Uses

The objective of Part C is to plan, develop, and implement programs for Indian adults. Project grants are used for the implementation of programs to decrease the rate of illiteracy and to increase the mastery of basic skills. Funds may be used for the distribution of information, materials, and/or evaluation of programs designed for the education of Indian adults.[28]

The long-range goal of Part C is to provide high school equivalency diploma training to 30 percent of the Indian people between the ages of 20 and 59 by 1981 and "to have served validated models in basic literacy and GED training available for installation as service programs."[29]

Part C--Program Operations

Grants are made to local and State educational agencies, institutions, Indian tribes, and organizations upon receipt of applications. The projects are formulated to assist in the implementation of programs which provide opportunities to increase the rate of literacy among Indian adults, thus qualifying them for high school equivalency certificates in the least amount of time.[30]

Part C--Program Accomplishments

In 1979, awards were made to 59 applicants to help Indian adults improve their communication skills, obtain high school diplomas and take part in career development programs. Approximately 51 awards will be made in 1980, and about 51 awards will be made in 1981.[31]

Part C--Activities

Approximately 61 projects were designed to improve the employment and educational opportunities of adult Indians in 1976.[32]

As a result of the passage of the Indian Education Act many state and local educational agencies, Indian tribes, institutions, and organizations have been encouraged to apply for grants.

Conditions for Approval

The basic conditions an applicant must satisfy are as follows:

(1) Conduct a needs assessment;
(2) obtain open consultation (including at least one public hearing) with the Indian community to be served;
(3) provide assurance that the program has been developed with the formal participation and approval of a parent committee which has been properly selected (with 50 percent or more parents) by parents of Indian children participating in the program, by teachers, and, where applicable, by Indian secondary school students;

(4) obtain parent committee's signature on the application to be submitted;
(5) design the program to meet the special educational needs of Indian children.[33]

The above conditions are basic to every application. Approval of individual applications depends upon whether they meet the requirements of the Act and its rules and regulations as published in the Federal Register. However, Part A has other requirements such as:

(1) the activities be supervised by the applicant;
(2) to assure that educational opportunities of Indian children will be increased;
(3) provide procedures for program evaluation by Indian parents;
(4) provide the names and addresses of the Parent Committee;
(5) assurance of the use of supplemental funds;
(6) provide procedures for fund accounting procedures; and
(7) provide assurance that the program will use the best resources including persons from the Indian community.[34]

Several educational programs have been funded as a result of the enactment of The Indian Education Act of 1972. Some examples of projects being funded include:

(a) the operation of a radio station in Raman, New Mexico, which broadcasts instruction to isolated communities,
(b) the utilization of computers by the Indian Pueblo Council in Albuquerque to expedite the learning process for Indian students,
(c) the training of Indians as professionals and para-professionals for a school system in Great Falls, Montana, that has a shortage of trained personnel, and
(d) the organization of a cultural program by a Tlingit Indian project in Hoonah, Alaska, which makes use of local resource people for such a program.[35]

Another such project funded by the government is designed to engage certain aspects of the language barrier confronting Indians. The Great Lakes Inter-Tribal Council at Lac Du Flambeau, Wisconsin, is developing instructional materials in five Native American languages--Menominee, Oneida, Potawatomi, Ojibwa, and Winnebago--for which no instructional material in written form is available. Both linguists and Native Americans are working to develop textbooks in English with native translations, which would facilitate language learning for Indian children.[36]

In addition, the following programs were funded under Part B of the Indian Education Act:

(1) Alaska Native Education Board, Bethel, for a bilingual-bicultural program for Alaskan village schools

(2) Cocopah Tribal Council, Arizona, for tribal involvement through education
(3) Coalition of Indian Controlled School Boards, Inc., Colorado, for Indian parent group training
(4) Confederated Tribes of the Warm Springs Reservation, Oregon, for an Indian internship project[37]

Part D

The Indian Education Act of 1972 (P.L. 92-318, Part D) establishes a 15 member National Advisory Council on Indian Education composed of American Indians and Alaskan Natives, appointed by the President to advise the Commissioner of Education on matters relevant to Indian education. This is of great significance because it assures further Indian participation in decision-making.

Conclusions and Recommendations

There is evidence to suggest that children participating in IEA projects are making gains in academic achievement which is affecting their social behavior patterns in a positive way. The Indian community and Indians within the school system are participating in the preparation of the projects, including needs assessment, planning, and evaluation.[38] Special programs are being designed to modify the schools so as to meet the needs of the children. Parents, educators, and students have concluded, however, that certain factors hinder the improvement of Indian education. These factors include the lack of sufficient control by Indians over the preparation of curriculum, budgets, and teacher training, and the lack of school buildings in some communities.[39]

Thus, even though great strides have been accomplished with the enactment of The Indian Education Act, it is quite evident that more could be accomplished if the government would continue to seek ways of meeting the needs of the Indian children who have been neglected in the past. Furthermore, as young people become more aware of available educational opportunities, those in charge of Indian Education might provide encouragement to those younger Native Americans who are both more willing and able to take leadership roles in their communities.

Some parents of American Indians, educators, and students who took an active leadership role have attended conferences organized by the Office of Education. They have met in order to discuss ways to solve the problems in Indian education through the funds under the Indian Education Act. Some of their recommendations include:

(1) There could be a greater distribution of information on the Indian Education Act.

(2) Early Childhood programs could be developed to prepare children for school.
(3) Government programs could be consolidated to make better use of Federal funds.
(4) Funds could be provided to help parents pay for their children's clothing and school supplies.
(5) Instructional materials which reflect the Indian culture could be produced.
(6) Students could be encouraged to take pride in their culture and heritage.
(7) Indian communities could take a greater part of the responsibility in their own programs.[40]

The writer recommends more tutorial programs so as to provide individualized instruction to Indian children similar to the program in Albuquerque, New Mexico. According to Mrs. Esther Marquez, Assistant Director to the Cross Cultural and Language Instructor of the Albuquerque Public School District, the CTBS scores show that the grades of the Indian children increased 10 points in every content area due to the individualized instruction provided by 35 university students.[41]

The writer also recommends more opportunities for the involvement of parents in schools, advisory councils, and school boards.

Another recommendation worthy of consideration is to provide summer school and bilingual-bicultural programs for Indian students below grade level.

Evaluation

The various projects and programs that have been funded by the Indian Education Act of 1972 are proof of the great impact that this law has had on the lives of Indian people. Many Indian children have been given equal educational opportunities that they would not have been offered otherwise. Moreover, schools have become more aware of the educational needs of the Indian children, thus modifying the curriculum to meet their needs.

The Act has also had an impact on adults. The projects aimed at decreasing illiteracy among adults have offered educational opportunities to adults which will enable them to reach their full potential.

Now that parents have been given the opportunity to plan, develop, and implement programs that affect the academic achievement of their children, better rapport between the home and the school has resulted.

Conclusion

In conclusion, the historical developments which were cited in this study will help the reader empathize with the present situation of the Indians. The study also emphasized the features of the Indian Education Act of 1972 which will continue to have an impact on the education of Native Americans.

Furthermore, The Indian Education Act of 1972 proves to be of great value not only to administrators who must find resources to finance better programs to motivate and inspire all students to learn, but it is also of great value to the Indian people. Thus, the Indian Education Act of 1972 (P.L. 92-318, and now under the authority of Public Law 95-561) offers equal educational opportunities to Indian children who have been discriminated against in the past.

Although the current Indian Education Act clearly can stand improvement in the areas cited above, the outstanding advancement which the Act helps to realize is increased parental involvement and participation in these programs.

NOTES

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[6] Allan Sorkin, "Education," American Indians and Federal Aid, (Washington: The Brookings Institution, 1971), p. 21.

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[10] U. S. Department of the Interior, The Indian Education Steps to Progress in the 70's, Government Printing Office, 1973, p.56.

[11] Aileen Alexander, "American Indian Education, p. 2.

[12] Ibid.

[13] U. S. Department of HEW, "The Indian Education Act," p. 1.

[14] U. S. Congress, Senate Committee on Interior and Insular Affairs, Indian Education Act of 1971 Hearings before a Subcommittee on Interior and Insular Affairs on S. 2482. 92nd Congress, First Session, 1971, p. 36.

VOCATIONAL EDUCATION FOR HANDICAPPED STUDENTS

by
Arcadio García

Statement of Purpose

The focal topic of this paper centers on providing vocational education for handicapped students. A specific program, the Vocational Adjustment Class (VAC), as implemented in the Fort Worth Independent School District, is presented as a program that is designed to meet the vocational needs of some handicapped students. In order to fully understand the implementation of the Vocational Adjustment Class program, the reader must understand the laws that have been enacted to provide the necessary support for these services. It is important to understand the purpose and specific regulations of each law as they serve to independently and collectively guarantee a handicapped individual designated rights. For this reason, the presentation will first address the laws identifying their purpose, regulations and provisions for implementation as they respectively apply to the handicapped. Following the essential background information on relevant laws, the paper will focus on a brief discussion on the purpose and specific characteristics of the Vocational Education For the Handicapped program in an effort to assist the reader in understanding the elaboration of the VAC program. It is not within the scope of this section of the paper to cover all the explicit guidelines of the VAC program, but rather to acquaint the reader with an understanding of the intent of the program, criteria for eligibility, admission procedure, and general implementation practices. The reader is advised to consult special education departments directly for more comprehensive information on the detailed operation of the program. The delineated procedures of the program are available through the district's unpublished Guidelines for the Cooperative Work/Study Program 1980-81.

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Relevant Legislation and Regulations

Throughout the long process that handicapped individuals have had to endure to establish their constitutional rights, three major laws have been passed by federal legislation affecting vocational education for the handicapped. The three laws are the Rehabilitation Act of 1973 (P.L. 93-112); the Education of the Handicapped Act, Part B, maneded in Education for All Handicapped Children Act of 1975 (P.L. 94-142); and the Vocational Act of 1963 amended in Education Amendments of 1976 (P.L. 94-482) (Razeghi and Davis, 1979, p. 353). To clarify these laws and confirm their significance for vocational education for the handicapped, this presentation will provide a brief overview identifying the specific regulations each law provides for the handicapped.

The Rehabilitation Act of 1973 (P.L. 93-112) is generaly considered to be the basic civil rights legislation for handicapped persons. Section 504 of this act provides that:

> No otherwise qualified individual . . . shall solely by reason of his handicap, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance. (Federal Register, May 4, 1977, p. 22676).

Educators are especially concerned with Section 504. Essentially, Section 504 states that any program or activity receiving federal assistance may not discriminate on the basis of mental or physical handicaps. Whether intentional or unintentional, the regulation forbids discrimination of any nature. Since most schools receive federal funds, compliance with Section 504 must be established in order to maintain future funding. Although Section 504 does not provide funds for encouraging nondiscrimination, implementation for compliance with the requirements is the responsibility of the individual states and local educational agencies (Clelland, 1978, p. 104; Halloran, 1978, pp. 9-10). Hence, the purpose of Section 504 is designed "to eliminate discrimination on the basis of handicap in any program or activity receiving Federal financial assistance" (Federal Register, May 4, 1977), p. 22678).

In addition to reaffirming the rights of every handicapped child to a free and appropriate education, Section 504 includes the following requirements.

> Handicapped persons must have opportunities to participate in or benefit from services equal to those that are provided to others; exclusion of handicapped children from elementary or secondary programs is a violation of their civil rights.

> Post-secondary vocational programs and colleges receiving federal funds may not discriminate against applicants on the basis of handicap . . . Accomodations must be made to make it possible for qualified handicapped students to participate. These cover a wide variety of services and arrangements to compensate for physical, sensory, learning and emotional disabilities, including lenghtening the time it takes to complete a course, revising the way courses are taught, providing interpreters and readers, tutors and special aids and equipment.
>
> All programs and services must be barrier-free. Programs must be made accessable immediately by means of changing locations or providing alternative ways for handicapped individuals to use facilities and equipment. Agencies and organizations, including schools and colleges, have until June 1980 to make necessary structural changes. (Scheiber, 1978, p. 5).

The Handbook For Vocational Education For the Handicapped lists several procedural safeguards to ensure compliance with Section 504. The following provisions are given:

- Identify annually eligible handicapped persons not receiving a free appropriate public education
- Place in least restrictive environment
- Include in extracurricular activities such as clubs, P.E.
- Ensure comparable facilities, etc. for handicapped
- Use appropriate evaluative techniques and qualified people when planning handicapped student's placement
- Use specified safeguards to insure rights of handicapped
- Provide non-discriminatory guidance, counseling, and placement (Texas Education Agency, 1978, pp. 11-12).

Having presented Section 504, the descussion will now focus on the second major law substantiating vocational education for the handicapped.

The Education of the Handicapped Act was adopted in 1970 in an effort to better meet the educational needs of the handicapped. However, this law was not very successful in meeting those needs. In 1974, Congress passed amendments to allow time for the development of a comprehensive educational plan for the handicapped. Hence, the Education for All Handicapped Children Act of 1975(P.L. 94-142) was enacted to provide benefits and insure rights for handicapped individuals. (Texas Education Agency, 1978, p. 6)

As printed in the Federal Register by the U.S. Office of Education on August 23, 1977, the purpose of P.L. 94-142 is:

> (a) To insure that all handicapped children have available to them a free appropriate public education

which includes special education and related services to meet their unique needs,
(b) To ensure that the rights of handicapped children and their parents are protected,
(c) To assist state and localities to provide for the education of all handicapped children, and
(d) To assess and insure the effectiveness of efforts to educate those children.

P.L. 94-142 concerns educational services provided for handicapped individuals from birth to twenty-one years. (Texas Education Agency, 1978, p. 6). This law specified a number of activities that schools must engage in to ensure that handicapped children receive the rights they have been guaranteed. The law sets forth the following provisions:

- that specialists be called upon to evaluate the children's special needs and determine the most appropriate educational environment for these children;
- that an individualized educational program be developed for each child identified as needing special education or related services;
- that the schools notify parents of findings concerning their children and include parents in the process of making decisions regarding how and in what circumstances their children will be educated;
- that an opportunity for a hearing be provided to a parent who is dissatisfied with the school's decision;
- and that, to the extent that it is in the child's best interest, each handicapped child be educated with non-handicapped children. (U.S. Office of Education, 1977, p. 7)

Individually designed education services for the handicapped child must be provided, not only to children in classrooms, but also Individualized Education Programs (I.E.P's) must include necessary vocational services where appropriate. At the junior high levels, it is especially important to include appropriate vocational education and to assure that each student is provided with equal opportunity to acquire the knowledge and the skills to work towards being self-sufficient (Moynahn, 1980, pp. 49-50).

Public Law 94-142 applied only to the states which receive financial assistance under Part B of the Education of the Handicapped Act (P.L. 91-230). The statute and regulation under P.L. 94-142 govern the provision of formula grant funds to state and local educational agencies in order to assist them in the education of handicapped children. Unlike Section 504, P.L 94-142 is not a "civil rights act." Thus, if a state does not receive Part B funds under P.L. 91-230, the state is not required to comply with the regulations of P.L. 94-142. However, regardless of whether or not a state receives funds under Part B of P.L. 91-230, all states and their local educational agencies must provide the basic civil rights provisions of Section 504 (Clelland, 1978, p. 104).

As previously stated, Section 504 is basically a "civil rights act," which covers a broad range of topics. Areas included under Section 504 regulations are: (a) employment practices, (b) program accessibility, (c) preschool, elementary, and secondary education, (d) post-secondary education, (e) health, welfare, and social services, and (f) complaint and enforcement procedures. Since P.L. 94-142 is a formula grant act, it is concerned with providing financial assistance to assist state and localities in providing for the education of all handicapped children and to assess and ensure the effectiveness of efforts to educate those children. In summary, "Section 504, Subpart D regulation delineates the broad civil rights provisions necessary for all state and local educational agencies, while P.L. 94-142, in its entirity, delineates the specific substantive and procedural requirements to effectively implement the intent of Section 504, Subpart D." (Clelland, 1978, p. 104).

Unlike Section 504 regulation, which does not provide for any federal financial assistance to implement its civil rights provisions, the implementation of P.L. 94-142 is jointly shared by the federal government and local education agencies. To implement P.L. 94-142 the federal government provides funds to assist in financing the excess cost of educating handicapped students. To educate the handicapped students, under this law, the local education agencies must provide for an average minimum amount (Clelland, 1978, pp. 104-5).

Before concluding the descussion on Section 504 and P.L. 94-142, an analysis of the definition of "handicapped person" in Section 504 and "handicapped children" in P.L. 94-142 is critical to the understanding of their special meaning when applied to the laws.

As defined in the Federal Register, the term "handicapped children" means

> Those children evaluated in accordance with 121a. 530-121a.534 as being mentally retarded, hard of hearing, deaf, speech impaired, visually handicapped, seriously emotionally disturbed, orthopedically impaired, other health impaired, deaf-blind, multihandicapped, or as having specific learning disabilities, who because of those impairments need special education and related services (Federal Register, August 23, 1977, p. 42478)

Under the provisions of Section 504, a "handicapped person" is defined as. . . "any person who has a physical or mental impairment which substantially limits one or more major life activities, has a record of such impairment, or is regarded as having such an impairment" (Federal Register May 4, 1977, p. 22678). Incorporated in this definition are the more specific terms:

- 'Major life activities' means functions such as caring for one's self, performing manual tasks, walking seeing, hearing, speaking, breathing, learning and working.
- 'Has a record of such an impairment' means has a history of, or has been misclassified as having a mental or physical impairment that substantially limits one or more major life activities.
- 'Is regarded as having an impairment' means (a) has a physical or mental impairment that does not subtantially limit major life activities but that is treated by a recipient as constituting such a limitation; (b) has a physical or mental impairment that substantially limits major life activities only as a result of the attitudes of others toward such impairments; or (c) has none of the impairment . . . but is treated by a recipient as having such an impairment (Federal Register, Wednesday, May 4, 1977, p. 22678).

Also included in this definition are not only educationally recognized handicapping conditions, but also alcoholism adn drug addiction. Overall, the term"handicapped person" covers a very broad range of actual or perceived handicapping conditions, while the term"handicapped children" covers a more specific range of medical or educational conditions, which have appropriately been identified and evaluated (Clelland, 1978, p. 105).

The brief contrast between Section 504 and P.L. 94-142 was presented to clarify the implementation regulations of each in providing assistance to the handicapped. The discussion will now proceed to present The Vocational Education Act (P.L. 94-482).

The Educational Amendments of 1976 (P.L. 94-482) included a complete revision of the Vocational Education Act of 1963. P.L. 94-482 reflected a major change in the nation's social and economic awareness by stressing the preparation of all students for employment rather than only the best students. Hence, these laws offered greater opportunities to handicapped and disadvantaged students, who had been excluded from some vocational education programs (Halloran and others, 1978, p. 51).

P.L. 94-482 must be considered in conjunction with P.L. 93-112 (Section 504), P.L. 94-142, and other federal regulations if the total impact of the law is to be understood. The primary importance of P.L. 94-482 is that it strengthenes the ability of the state to provide vocational education, especially to the groups for whom the need is most acute. This law assures that 10% of the funds be set aside for vocational education of the handicapped. In addition, it also requires state and local support thorugh 50% matching of state and local funds (Scheiber, 1978, p. 4; Texas Education Agency, 1978, pp. 6-7).

The law extends help not only to handicapped children, but also to disabled individuals of all ages who need vocational education. The law requires that:

- Ten percent of federal funds allocated to states for vocational education be spent on the cost of special programs, services or activities for the handicapped. These special funds may go to school districts for secondary school programs, and also to post-secondary adult vocational education programs and community colleges.
- Funds are not allocated automatically; local education systems must apply to states for a share of the money.
- Vocational education programs using these funds in secondary schools must carry out the goals of P.L. 94-142 and comply with its requirements. This means that all the rights guaranteed under P.L. 42-142 are extended to handicapped children served under the Vocational Education Act . . .
- The law specifically states that vocational education plans for an individual child must be coordinated with the child's IEP.
- Advisory councils must be set up--on both state and local levels . . .
- Five-year state plans must be drawn up in order for a state to receive funding under this law; plans must show how the ten percent allotment will be used to meet the needs of handicapped individuals and how vocational educational programs will coordinate with special education programs . . .
- Local school systems must also submit annual plans to the state, outlining how they propose to meet vocational education needs, what programs they want to start, or expand (Scheiber, 1978, pp. 4-5).

The Office of Education defines vocational education as "organized educational programs which are directly related to the preparation of individuals for paid or unpaid employment, or for additional preparation for a career requiring other than a baccalaureate or advanced degree" (Federal Register, August 23, 1977, p. 42480). The nine vocational areas identified by the U.S. Office of Education are agriculture, distributive education, health occupations education, office occupations, occupational home economics, consumer and homemaking education, technical education, trade and industrial occupations, and industrial arts (Razeghi and Davis, 1979, pp. 355-6).

Handicapped students must have available the same variety of vocational education programs and services that are available to nonhandicapped students. A handicapped student may be placed in a specially designed separate program or in regular vocational education programs with special education assistance. Every effort should be made to ensure that handicapped students participate in regular vocational education programs and that only those students whose handicaps are such that they cannot achieve satisfactorily in the regular class even with special educational assistance are placed in special vocational education programs (Razeghi and Davis, 1979, p. 356).

Some of the vocational services for handicapped children that are made available under P.L. 94-482 are: (a) vocational instruction, curriculum development and modification to enable handicapped students to take part in regular programs; (b) modification of vocational equipment to enable students to develop skills leading to employment; (c) vocational or work evaluation; (d) supportive services such as interpreters for deaf students; (e) note-takers, readers, and tutorial aides; (f) vocational guidance and counseling; (g) job placement and follow-up services (Scheiver, 1978, p. 5).

To ensure compliance with P.L. 94-482, procedural safeguards have been incorporated. The Handbook For Vocational Education For The Handicapped lists the following provisions:

- Requires states to show written proff of consistency of Five-year and Annual Program Plan with state plan for education of handicapped
- Guarantee of due process procedures
- Development of individual educational programs
- Placement in least restrictive environments
- Use of nondiscriminatory testing and evaluative procedures
- Maintenance of confidentiality of information
- Continues set-aside funds for programs for handicapped and reouires allotment of 50% matching state and local funds (Texas Education Agency, 1978, p. 11).

The VEH Program

Having presented the three major laws affecting vocational education for the handicapped, the discussion will briefly present the purpose and characteristics of the Vocational Education for the Handicapped (VEH) program.

The Texas Education Agency states that "the VEH program is designed to prepare students for gainful employment through a vocational curriculum that departs from traiditional content and methods." It is the intent of the program to serve the students with exceptional handicaps who cannot succeed in regular vocational programs. The only students eligible for the VEH program are the students who are eligible for special education. Placement in the program is made by the specific recommendation of the local Admission Review and Dismissal Committee. Through the program, vocational instruction that will enable students to become gainfully employable is provided. A laboratory which simulates related business or industrial establishments is used to achieve instructional objectives (Texas Education Agency, 1978, p. 13).

The specific intent of the VEH program is to achieve the following purposes:

(1) To provide students with vocational education preparing them for gainful employment in jobs requiring entry-level knowledge and skills.
(2) To provide students with a vocational curriculum which in contrast to traditional content and methods of teaching workds at a level where VEH students can succeed (Texas Education Agency, 1978, p. 13).

The Texas Education Agency characterized the Vocational Education for the Handicapped program as follows:

(1) Emphasis is placed on the development of attitudes, behavior, and skills necessary to secure and hold a job.
(2) Curriculum is based on a job analysis of specific occupations and on the abilities of VEH students.
(3) Acceptance of a student into the program is based on recommendation of the Admission, Review, and Dismissal Committee.
(4) Programs are established when evidence shows need for trained personnel in specific occupations or clusters of occupations.
(5) Services of the Vocational Adjustment Coordinator and Vocational Rehabilitation Counselor are provided for students.
(6) Advisory councils help to determine current job opportunities and to advise and evaluate the specific emphasis of the gainful employment program.
(7) Evaluation is in terms of performance and ability to secure and hold job (Texas Education Agency, 1978, p. 13).

A Case in Point: The VAC Program

The Vocational Adjustment Class (VAC) program will be discussed, as it is implemented in the Fort Worth Independent School District. The following pages are intended to aid the reader in understanding the VAC program. Due to the program's specific regulations and detailed descriptions the scope of this discussion is limited to the over all understanding of the intent of the program, criteria for eligibility, admission procedure and general implementation practices.

The VAC program is a specialized instructional option for handicapped students at the secondary level. Through this program, an instructional alternative for on-the-job training and full-time employment as a means of fulfilling goals for graduation are provided for the student. The program provides assistance to all handicapped students whose impairments contitute vocational and/or employment handicaps, including students who are mentally retarded, physically handicapped, emotionally disturbed, minimally brain-injured, hearing impaired, language/learning disabled, and multihandicapped.

The broad goals for students placed in this instructional option are to provide the student placed in this instructional option are to provide the student with skills, training, and educational competencies necessary to live in society and to obtain and maintain employment. The competency areas covered in the VAC program may be grouped into three divisions:

(1) Daily living skills should address objectives to be obtained to allow students to become a home manager and will include:
- money management
- banking procedures
- food buying and preparation
- home furnishing and care
- caring for children and family living
- clothing the family
- participation in community activities
- use of leisure time
- mobility within the community

(2) Personal social skills are necessary for the development of independence, self-confidence, and socially acceptable behaviors. Areas to be included are in the development of:
- self-awareness
- self-confidence
- socially responsive behavior
- interpersonal relationship
- independent functioning
- problem-solving and decision-making abilities
- communication skills.

(3) The competencies to be developed in career/vocational areas will include:
- occupational exploration
- making an occupational choice
- developing good work behavior
- making a good adjustment to job
- increasing occupational skills.

The primary objective of the VAC program is to provide a setting in which students:

(1) Develop dependable work habits which will enable or assist them to progress from on-campus training stations to full-time jobs in the community or in sheltered workshops.

(2) Develop vocational potential through participation in a variety of work experiences in both school-based and community-based work settings.

(3) Observe and learn about essential work traits and social behavior in a "work world" atmosphere.

(4) Develop an appreciation for work and an understanding of the relationship between work and economic independence.

(5) Receive instruction pertaining to daily living and independent functioning skills.

(6) Receive instruction in the basic academic areas in a regular class setting, a resource room or VAC class setting.

A student can be referred for placement in the VAC program by a teacher, principal, counselor, psychologist, parent or any other interested individuals. Each referral must be processed by the Admission, Review and Dismissal (ARD) Committee and the following criteria must be met:

(a) The student must be handicapped in accordance with Texas Education Agency requirements.

(b) The student must be at least 16 years of age.

(c) The student must have an educational need most appropriately met through a work experience program for handicapped students.

(d) The student has expressed a desire to participate in the VAC program.

If the student meets the above criteria, the ARC Committee, in accordance with state and local policy documents, will:

(1) Determine eligibility of students for placement in the VAC program.

(2) Develop an Individual Educational Program (IEP) for each student placed in the program.

(3) Review each student's placement and individual educational program at least once a year and recommend modifications of the program as needed.

(4) Make decisions concerning transfer and dismissals.

Several alternative seetings and instructional components may be utilized to serve students enrolled in the program. The current instructional components along with the instructional setting arrangements are as follows:

A. Academic Component
   1. General education (mainstream) setting
   2. Resource room setting
   3. Self contained or transitional classroom setting

B. Occupational Orientation Component
   1. Resource room setting
   2. Transitional/serf contained setting
   3. Vocational adjustment class setting

C. Occupational Exploration Component
   1. General education (mainstream) setting
   2. Vocational Adjustment class setting
   3. Vocational education for the handicapped setting

D. Vocational Skills Training Component
   1. General education (mainstream) setting
   2. Coordinated Vocational Academic Education (CVAE) setting

E. On-the-Job Training Component
   1. A semester of part-time employment
   2. A required semester of successful full-time employment

The VAC students will be graded on their own potential and ability. The grade and credit earned will be given on an individual basis and not in competition with other students.

Placement in the VAC program requires the first year student, grade nine, to spend the entire day in an academic setting unless the ARC Committee makes an alternative recommendation. Job experiences may begin for the sophomore level student by placement in a training station by the Vocational Adjustment Coordinator. Under certain conditions sophomore students may be eligible for one half day's work. Junior level students are eligible for one half day's work, upon fulfilling eligibility requirements, and will be placed on a job for half of each school day. Senior level students are eligible for full-day work and, upon fulfilling eligibility will be placed on a job for the full day. A half day's work assignment constitutes 15 hours per week and a full-day work assignment will total 30 hours per week.

VAC students are eligible to receive the regular diploma from the high school and participate in graduation class activities. When the student meets the criteria listed below, he is eligible for graduation:

1. The student must have successfully completed at least the last semester of school in full-time employment and should be working at the time of graduation.
2. The ARD Committee will determine that the student has the capacity to hold a full-time job and the skills to seek new employment.
3. The student must be at least as old or older than the peer group with whom he/she will graduate.
4. The ARD Committee will determine when requirements for graduation have been met.
5. It is understood that the committee may waive requirements on an individual basis or assign credits based on dodumentation of acquired skills.
6. The student will meet the criteria of 22 total program credits for graduation. (Detailed outline of subjects taught is provided in the FWISD Guidelines for the program.)

The Vocational Adjustment Coordinator(VAC) is a special education teacher assigned to the secondary level program of instruction. The VAC is a teacher who has the primary responsibility of providing instruction in areas of career orientation, prevocational information and job readiness skills. In addition to prividing instruction, the VAC acts to secure on-campus and off-campus job training stations and to coordinate classroom instruction with the on-the-job skills training. In summary, supervision, support and instruction necessary to help the individual student succeed on the job is provided by the VAC. (Additional duties and responsibilities are listed in the district Guidelines for the program.)

The Vocational Adjustment Class program is only one example of an option designed to provide vocational education services to handicapped students. As a result of the enactment of Section 504, P.L. 94-142, and P.L. 94-482 numerous changes and safeguards to guarantee the handicapped their rights have been implemented. The major thrust of this discussion was on the handicapped in an effort to familiarize the reader with existing legislation and designated procedures in providing vocational education services to handicapped students.

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EDUCATION OF THE PRESCHOOL HANDICAPPED CHILD

by
Feliz Gonzales

The preschool handicapped child has been an unserved minority in our educational system for many years. It is only recently that educators have begun to look at the handicapped child with special interest. Perhaps children can learn at an earlier age than previously thought. At any rate, some educators would support this contention. Douglas Ullman and Donald Kaush, professors at Bowling Green University, state: "By identifying specific developmental deficits in children at as young an age as possible one can design appropriate programs to prevent the deficits from accumulating and/or reduce the children's vulnerability to learning and behavior disorders."[1]

It has taken federal mandates to bring about support for the education of this unserved minority. Some states have reacted favorably to this legislation and created extensive programs for this population. Others have left it to the federal government to provide the services.

An overview of federal legislation and present programs providing for the early handicapped child will provide insight as to what has occurred to serve this group in the past ten years.

About twelve years ago the federal government began to provide legislative and fiscal support for the handicapped preschool child. The first support came through the Handicapped Children's Early Education Assistance Act by Congress in 1968, also known as Public Law 90-538. This law established experimental programs that could serve as models for state and local educational agencies. These demonstration projects were to develop materials and special programs for the preschool handicapped child.

The 1973 Rehabilitation Amendments, Section 504 of Public Law 93-112 made provisions for dealing with discrimination against handicapped individuals. This law stated that a person could not be discriminated against because of

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a handicapping condition. If a state discriminates against handicapped individuals in education, it is subject to losing its federal funds. To meet the requirements of Section 504, any state that offers services to nonhandicapped preschool children must offer those services to handicapped children as well. If a state has kindergarten programs for 5 year old nonhandicapped children, for example, it cannot deny education services to handicapped 5 year olds. A day care program receiving federal funds cannot deny its services to children on the basis that they are handicapped.

Public Law 93-380 under the Education Amendments of 1974 supported new requirements for the education of the preschool handicapped child. One requirement was that each state set a goal for serving all handicapped children from birth through age 21. This law signified a federal commitment to the concept of education for the handicapped children from birth on but there was nothing to prevent the states from stating they had no available funds.[2]

Another requirement of Public Law 93-380 was that each state establish and maintain systematic efforts to find all handicapped children, from birth through age 21. After handicapped children from birth through age 5 were identified, state and local education systems would have a data based from which to plan appropriate educational programs. They would also accumulate documentation needed for preschool intervention programs.

The State Implementation Grant Program began in 1974 under the Handicapped Children's Early Education Assistance Act. The purpose of this program was to encourage and support the implementation of comprehensive early childhood plans by the states. One of its products has been the establishment of interagency coordinating councils within several states and some localities. These councils are responsibile for identifying and eliminating duplication in providing services for the handicapped preschooler.[3]

In 1975 the Education for All Handicapped Children Act was passed. This Act is more commonly known as Public Law 94-142. It states:

> A free appropriate public education will be available for all handicapped children between the ages of three and eighteen within the State not later then September 1, 1978 and for all handicapped children aged three to five and aged eighteen to twenty-one inclusive, the requirements of this clause shall not be applied in any state if the application of such requirements would be inconsistent with State law or practice, or the order of any court, respecting public education within such age groups in the State.[4]

Amendments to this law have left some states free not to educate the handicapped child below age six.

> A state is not required to make a free appropriate public education available to a handicapped child in one of these age groups if: (i) State law expressly prohibits or does not authorize the expenditure of public funds to provide education to non-handicapped children in that age group or (ii) The requirement is inconsistent with a court order which governs the provision of free public education to handicapped children in that state.[5]

There are further conditions under which the state must provide a free appropriate public education to 3 through 5 year olds:

> (1) If State law or a court order requires the State to provide education for handicapped children in any disability category in any of these age groups, the State must make free appropriate public education available to all handicapped children of the same age who have that disability. (2) If a public agency provides education to fifty percent or more of its handicapped children in any disability category in any of these age groups, it must make a free appropriate public education available to all of its handicapped children of the same age who have that disability.[6]

Section 611 (d) Entitlements and Allocations of Public Law 94-142 provides two sources of funds which are based on the number of handicapped children served. By including children in the 3 thorugh 5 year old group in the state's annual report the state receives the same amount of money as for children age 6 and over.

The second source of funds is the Incentive Grants. After it was decided that states did not need to serve children ages 3 through 5 unless already required by their state law, Section 619 was added as an amendment to P.L. 94-142. The purpose of this grant was to enhance and expand the services to 3, 4 and 5 year olds. This established the importance of early intervention with the handicapped child. The amount of money a state receives is determined by the number of 3, 4 and 5 year old children included in the count of handicapped children who are receiving a free and appropriate public education.

States may apply for an incentive grant if they have an approved State Plan and serve any handicapped children in this age range. For fiscal year 1979 funds, 199,344 children were counted and the per pupil amount was about $75. The appropriation for fiscal year 1979 was $15 million.[7]

Some states have no mandatory legislation pertaining to the education of children below age 6 at the present time. Some are moving toward the provision of full educational services for 3 through 5 year olds. A second group have permissive legislation and are providing limited services while others are providing extensive educational services.

Some states have developed extensive programs for the handicapped preschool child. One such program is sponsored by the Institute for the Study of Mental Retardation and Related Disabilities at the University of Michigan, which was developed as a model. It uses parents as the primary treatment source for the handicapped children.[8] Referrals are accepted from parents as well as professionals. The program accepts children from birth through age four, with any type of handicap, who resides within the regional area. Each served child attends along with one or both parents for two or three one-hour sessions each week and receives a home visit once a week. A comprehensive evaluation of the child is developed by the parent and the trainer. A maximum number of thirty children at one time are served by the project.

Other projects in operation at the present time include the Portage Project in Portage, Wisconsin, Model Preschool Center in Seattle, Washington, and the High/Scope Foundation Demonstration and Preschool Project in Ypsilanti, Michigan.[9]

The main objective of these programs is to prepare children with various handicaps for mainstreaming by providing an integrated preschool experience and by supporting developmental processes.

In most states services to 3 and 4 year olds have not been provided by the public schools. Head Start and day care centers have been the primary providers of services to this age group for the low income families. Head Start is mandated to serve preschool handicapped children. The law states:

> For Fiscal 1976 and thereafter no less than 10 percent of the total number of enrollment opportunities in Head Start programs in each state shall be available for handicapped children . . . and that services shall be provided to meet their special needs.[10]

Efforts are being made by both the Bureau of Education for the Handicapped and by the Administration for Children, Youth and Families, which administers the Head Start Program, to solve the existing problem of overlapping responsibilities for handicapped preschoolers. The major mechanism for establishing cooperative activities at the state and local level is a network of 14 Resource Access Projects (RAPs) funded by the Administration for Children, Youth and Families. Head Start is a logical resource for providing education to handicapped preschoolers for whom the least restrictive appropriate environment is an integrated setting.[11] The basis for the establishment of RAPs was to help Head Start programs find and apply resource services for the handicapped child. The Resource Access Projects are designed to link local Head Start staff to these resources so that the special needs of handicapped children are met.[12] About 200 projects are funded and in operation at present. Four states have signed agreements recognizing Head Start Programs as a legitimate placement agencies for handicapped preschoolers, with another 16 states expected to do so this year.

Problems in Identification of Handicapped Preschool Children

Some states are having problems in agreeing on the various definitions of handicapped children. This has resulted in varied services for a variety of reasons that may be independent of the childrens' needs. Identifying the preschool handicapped population can be difficult for a number of reasons. Variability in normal development, questionable identification diagnostic instruments, and differences in quality and quantity of environmental experiences are a few of the problems concerning preschool handicapped children. Other concersn include: (a) adequate and appropriate diagnostic instruments, (b) homogeneity of populations for research purposes, (c) generality of treatments, (d) communication among professionals, (e) guidelines for funding purposes, and (f) direction for training competent teachers for the preschool handicapped population.[13]

Section 35.71 (.20) Special Education in General

The state of Texas recognizes the following twelve categories for the handicapped.

(a) "Visually handicapped students" are students whose sight is so impaired that they cannot be adequately or safely educated in the regular classes of the public schools without the provision of special services.

(b) "Deaf-blind students" are those whose hearing and vision, after all necessary medical treatment and use of hearing and optical aids, remain legally nonfunctional or otherwise result in serious educational handicaps requiring special provisions for maximal educational achievement.

(c) "Autistic students" are students whose disturbances of speech and language, relatedness, perception, developmental rate, and motility are such that they cannot be adequately educated in the regular classes of public schools without the provision of special services.

(c) "Hearing impaired students" are students whose hearing is so impaired that they cannot be adequately educated in the regular classes of the public schools without the provision of special services.

(e) "Orthopedically handicapped students" are those who have a severe orthopedic impairment which adversely affects educational performance. The term includes impairments caused by congenital anomaly and impairments caused by disease.

(f) "Other health impaired students" are those with limited strength, vitality, or alertness, due to chronic or acute health problems, which adversely affect educational performance.

(g) "Mentally retarded students" are students with significantly subaverage general intellectual functioning existing concurrently with deficiencies in adaptive behavior and manifested during the developmental period such that they cannot be adequately educated in the regular classes of the public schools without the provision of special services.

(h) "Emotionally disturbed students" are students whose emotional condition is psychologically or psychiatrically determined to be such that they cannot be adequately and safely educated in the regular classes of the public schools without the provision of special services.

(i) "Learning disabled students" are students who demonstrate a significant discrepancy between academic achievement and intellectual abilities in one or more of the areas of oral expression, listening comprehension, written expression, basic reading skills, reading comprehension, mathematics calculation, mathematics reasoning, or spelling; for whom it is determined that the discrepancy is not primarily the result of visual handicap, hearing impairment, mental retardation, emotional disturbance, or environmental cultural, or economic disadvantage; and for whom the inherent disability exists to a degree such that they cannot be adequately served in the regular classes of the public schools without the provision of special services.

(j) "Speech handicapped students" are students whose speech is so impaired that they cannot be adequately educated in regular classes of the public schools without the provision of special services.

(k) "Multiply handicapped students" are students handicapped by any two or more of the handicapping conditions described that may result in multisensory or motor deficiencies and developmental lags in the cognitive, affective, or psychomotor areas such that they cannot be adequately educated in the regular classes of the public schools without the provision of special services.

(l) "Pregnant students" who may be considered eligible for special education services are those students who have been diagnosed by a licensed physician as being pregnant and who, for an appropriate period of time, desire to continue their education in an alternative setting rather than continuing in the regular education program setting.

CONCLUSION

In summary, all states need to move toward establishing standard eligibility criteria for all handicapped children. A standard plan or policy needs to be incorporated with Public Law 94-142.

An improved overall national policy should include the following:

1. Availability of information to identify potentially handicapped children
2. Unbiased testing, evaluation, and counseling
3. Access to free public education appropriate to each child's needs
4. An individual education program resulting in placement in the least restrictive environment suited to the child's needs
5. Auxiliary facilities and services necessary in order for the handicapped child to benefit from special education
6. A priority system which: (a) allocates resources first to those handicapped children not receiving an education and then to the most severely handicapped with each disability; (b) prevents any funding insufficiency or administrative inefficiency from bearing more heavily on the hanciapped child than on any other child.
7. Records and access to those records and to school personnel knowledgeable about the child's situation by the child or by parents or guardians
8. Procedural due process in any decision establishing or altering the child's placement in an educational program to include adequate notice, right to counsel, impartial hearings, and right of appeal of decisions affecting the child
9. Confidentiality of personally identifiable records[14]

FOOTNOTES

[1] Douglas Ullman and Donald Kaush, Exceptional Children, (Council for Exceptional Children, Sept. 1979, pp. 8-13).

[2] Shirley Cohen and Micheal Guralnick, Exceptional Children, (Council for Exceptional Children, Jan. 1979, pp. 279-285).

[3] S. Cohen and M. Guralnick, p. 280.

[4] Public Law 94-142 Education for Handicapped Child Act of 1975, Nov. 28, 1978.

[5] Ibid.

[6] Ibid.

[7] S. Cohen and M. Guralnick, p. 281.

[8] Robert Hagerty, How To Make Federal Mandatory Special Education Work for You, (Springfield, Baltimore, Charles Thomas Publishers, 1978.

[9] Ibid.

[10] Public Law 93-644, Extension of Head Start, Economic Opportunity and Community Partnership Act, Jan. 4, 1975.

[11] Cohen and M. Guralnick, p.283

[12] Fact Sheet. . .On the RAPS Head Start Resource Access Projects, U. S. Department of Health and Human Services, Dec. 1976.

[13] Elliott Lesson and Terry Rose, Exceptional Children, (Council for Exceptional Children, March 1980, p. 467-469).

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